
Executive Committee

Meeting No.	26	Contact	Patsy Morris, Committee Administrator
Meeting Date	Monday, November 10, 2008	Phone	416-392-9151
Start Time	9:30 AM	E-mail	pmorris@toronto.ca
Location	Committee Room 1, City Hall		

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

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Declarations of Interest under the Municipal Conflict of Interest Act.

Confirmation of Minutes – October 6, 2008 and October 31, 2008

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

Communications/Reports

EX26.1	ACTION	10:00 AM		Ward: All
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Development Charges - Background Study and Proposed By-law**Public Notice**

(October 27, 2008) Report from the City Manager and the Acting Deputy City Manager and Chief Financial Officer

Recommendations

The City Manager and the Acting Deputy City Manager and Chief Financial Officer recommend that:

1. for the purpose of complying with the *Development Charges Act, 1997*, Council adopt the City of Toronto 2008 Development Charge Background Study, dated October 23, 2008;
2. Council adopt the 2008 Proposed Development Charge By-law, attached to this report as Appendix 1, and that the City Solicitor in consultation with the Acting Deputy City Manager and Chief Financial Officer be authorized to make such stylistic and minor amendments to the by-law as necessary to give effect to the recommendations contained herein; and
3. staff be directed to report to the December 1 and 2, 2008 meeting of City Council, subsequent to receipt of public comments at the November 10, 2008 statutory public meeting, on any recommended changes to the proposed 2008 Development Charge By-law.

Financial Impact

The Background Study calculates the maximum permitted development charges as allowed under the *Development Charges Act, 1997*. Council, however, can elect to adopt a charge that is less than the maximum charge as calculated in the Background Study. In deciding whether to impose the charge as calculated or some reduced amount, the City must balance its revenue needs against the potential impact a large increase in development charges could have on the City's long-term economic development, financial and planning objectives.

The proposed by-law attempts to balance these objectives by phasing in the increase only if economic conditions warrant. Specifically, the proposed by-law freezes rates for the first year and then phases in the maximum charge over the subsequent four years, only if building permits are issued for more than 9,000 residential units per year. If building permits are issued

for less than 7,000 residential units per year, there will be no increase in the charges (other than cost inflation). If permits are issued for between 7,000 and 9,000 residential units per year, only part of the maximum increase would be phased in.

Under this transitional provision, it is possible, given a robust real estate market, that the full calculated increase would be phased in over the life of the proposed by-law. Conversely, if new housing construction activity is poor, little if any of the calculated increase would be phased in.

Given this interdependency between the amount of the charge and the level of construction activity, it is not possible to estimate with any degree of accuracy the amount of development charge revenue that will be realized over the 5-year life of the by-law. Appropriate adjustments to the City's capital plans will have to be made to reflect prevailing economic conditions and the level of available capital financing including development charge revenue.

Summary

The City of Toronto collects development charges from new construction to pay for a portion of municipal growth-related capital costs. The City's existing Development Charge By-law expires on July 27, 2009. A new Development Charge Background Study has been prepared, as required by the *Development Charges Act, 1997*. The purpose of this report is to present the City of Toronto 2008 Development Charge Background Study and the proposed Development Charge By-law for consideration at a statutory public meeting.

The charges calculated in the Background Study are the maximum charges that could be imposed under the *Development Charges Act, 1997*. These represent significant increases over current rates and are the result of expanded capital programs, inflation, legislative changes affecting cost recovery for the Toronto-York Spadina subway extension, refinement of the methodology for calculating the charge, and the inclusion of new services.

Given the recent weakness in the global economy, it was considered inappropriate to introduce a large increase in development charges at this time. Therefore, the phase-in provisions in the proposed by-law contain a freeze in development charges until January 31, 2010, and provide a four-year phase-in of the rest of the allowable increase, only if housing construction meets the thresholds as set out in the by-law

The proposed by-law continues many of the current residential and non-residential exemptions, including exemptions for affordable rental housing and industrial development. Employment uses qualifying under the recently-approved Imagination, Manufacturing, Innovation and Technology Financial Incentives Program are proposed to be eligible for a full exemption. For other non-exempt, non-residential uses, it is proposed that development charges apply to the ground floor area only. In addition, a partial development charge rebate is proposed for developments that meet Tier 2 of the Toronto Green Standard. These and other definitional changes in the proposed by-law are unaffected by the phase-in provisions, which apply only to the level of the charge, and shall be effective from the date that the proposed by-law comes into force.

After the November 10, 2008 statutory public meeting of Executive Committee, staff will report directly to Council on any recommended changes to the proposed Development Charge By-law resulting from public comments and Committee direction.

Background Information

Development Charges - Background Study and Proposed By-law

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16627.pdf>)

City of Toronto 2008 Development Charge Background Study - Watson & Associates Economists Ltd.

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16718.pdf>)

Note: The City of Toronto 2008 Development Charge Background Study, dated October 23, 2008, referred to in the report (October 27, 2008) from the City Manager and the Acting Deputy City Manager and Chief Financial Officer, was distributed to all Members of Council and select officials on October 23, 2008, by the Finance Division, a copy of which is posted on the City's website and is also on file in the office of the City Clerk, City Hall.

EX26.2	ACTION	11:30 AM		Ward: All
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Regulatory Strategy for Multi-Residential Apartment Buildings (MRABs)

(October 27, 2008) Report from the Executive Director, Municipal Licensing and Standards

Recommendations

The Executive Director of Municipal Licensing and Standards recommends that the Executive Committee:

1. Direct the Executive Director of Municipal Licensing and Standards to report back to the Executive Committee after one year of full implementation of the MRAB audit and enforcement programme on:
 - a. the success of the audit and enforcement programme;
 - b. whether the programme should be continued and, if so, make any recommendations to do so or to enhance it, as required;
 - c. the appropriateness of the establishment of a fee to fund future audits and enforcement and how such a fee would be implemented; and
 - d. any other relevant recommendations pertaining to an MRAB regulatory strategy; and
2. Direct staff to ensure that in its preparation of the report to the Executive Committee, landlords, tenants and any other interested parties are consulted on the development and implementation of any regulatory strategies.

Financial Impact

There are no financial implications as a result of the adoption of the recommendations of this report. The MRAB audit programme shall be staffed with current resources, redeployed from other programmes. To the extent possible, service-level impacts shall be largely constrained to lower priority programmes.

Additionally, the Division is currently working with Human Resource Services to fill a substantial number of vacant positions in the Division, which will partially offset pressures placed on other divisional services through the implementation of the audit and enforcement programme.

Summary

The purpose of this report is to outline Municipal Licensing and Standards' Multi-residential Apartment Building (MRAB) audit and enforcement programme to be launched on December 1, 2008. This program, supported by a team of 12 officers and a co-ordinator with oversight by a District Manager, is intended to focus current enforcement efforts and provide immediate action on 176 of the City's most in-need buildings. Four buildings will be identified in each Ward for the initial year of the programme. Two buildings shall be selected by City staff and two additional buildings shall be selected in consultation with the local Councillor.

The report also provides an overview of other potential regulatory options for Multi-residential Apartment Buildings (MRABs) and provides a general assessment of their viability and potential impact. To this end the report provides:

- an overview of factors driving the trends in the housing sector and what they may mean in the context of establishing a regulatory strategy for MRABs;
- an overview of the regulatory options explored by staff, followed by a summary of the feedback from the public consultations;
- a summary analysis of the regulatory options and their potential implications; and
- an outline of the anticipated impact on City Divisions.

Staff recommend that the Executive Committee direct the Executive Director of Municipal Licensing and Standards to report after one full year of implementation of the MRAB audit and enforcement programme on the programme's success and on any other recommendations to enhance the programme or to introduce a fee to fund an expanded regulatory strategy.

Background Information

Regulatory Strategy for Multi-Residential Apartment Buildings (MRABs)
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16628.pdf>

Communications

(June 20, 2007) letter from Councillor Howard Moscoe on behalf of The Rev. Canon Derwyn Shea, Chairman and Chief Executive Officer, St. Hilda's Tower Inc. (EX.Main.EX26.2.1)

(May 30, 2007) fax from Susan DesLauriers, Executive Director, St. Matthew's Bracondale House (EX.Main.EX26.2.2)

(June 5, 2007) fax from Stephen Cheung, Yee Hong Chinese Evergreen Non-Profit Homes (EX.Main.EX26.2.3)

(June 5, 2007) fax from Jagoda Heilman, Property Manager, Operating Engineers Local 793 Non-Profit Housing Inc. (EX.Main.EX26.2.4)

(June 6, 2007) fax from Paul Redlich, President, Richview Residence (EX.Main.EX26.2.5)

(June 7, 2007) fax from Brigitte Witkowski, Executive Director, Mainstay Housing (EX.Main.EX26.2.6)

- (June 8, 2007) fax from Kosta Kostouros, Chief Executive Officer, Hellenic Home for the Aged Inc. (EX.Main.EX26.2.7)
- (June 5, 2007) letter from Ed Reed, Chair, WoodGreen Community Services (EX.Main.EX26.2.8)
- (December 11, 2007) letter from Amy Nugent, External Officer, CUPE 3902, University of Toronto (EX.Main.EX26.2.9)
- (June 19, 2008) e-mail from Karen Copeland (EX.Main.EX26.2.10)
- (June 19, 2008) e-mail from Greg Boyce (EX.Main.EX26.2.11)
- (June 19, 2008) e-mail from Nicole Mindszenty (EX.Main.EX26.2.12)
- (June 19, 2008) e-mail from Paul Capranos (EX.Main.EX26.2.13)
- (September 22, 2008) e-mail from Jeannette Gervais (EX.Main.EX26.2.14)
- (September 24, 2008) e-mail from Dale Watson (EX.Main.EX26.2.15)
- (August 9, 2008) e-mail from Troy Jackson (EX.Main.EX26.2.16)
- (August 12, 2008) e-mail from Patrick Lowney (EX.Main.EX26.2.17)
- (August 12, 2008) e-mail from Trevor Cunningham (EX.Main.EX26.2.18)
- (August 12, 2008) e-mail from Bruce Flannigan (EX.Main.EX26.2.19)
- (August 12, 2008) e-mail from Steve Venier (EX.Main.EX26.2.20)
- (August 14, 2008) e-mail from Alistair Vogan (EX.Main.EX26.2.21)
- (August 16, 2008) e-mail from Gary Dale (EX.Main.EX26.2.22)
- (August 29, 2008) e-mail from Marie Xminies (EX.Main.EX26.2.23)
- (August 12, 2008) e-mail from Eduardo Sousa (EX.Main.EX26.2.24)
- (June 20, 2008) e-mail from Patricia Clark (EX.Main.EX26.2.25)
- (June 20, 2008) e-mail from Eileen Shannon (EX.Main.EX26.2.26)
- (June 20, 2008) e-mail from Garry Anderson (EX.Main.EX25.2.27)
- (June 20, 2008) e-mail from Esmeralda Silva (EX.Main.EX26.2.28)
- (June 25, 2008) e-mail from Janette Strong (EX.Main.EX26.2.29)
- (June 27, 2008) e-mail from David Sarai (EX.Main.EX26.2.30)
- (June 27, 2008) e-mail from Marla Brown (EX.Main.EX26.2.31)
- (June 27, 2008) e-mail from Joanne Fisher (EX.Main.EX26.2.32)
- (July 5, 2008) e-mail from Aim Mujib (EX.Main.EX26.2.33)
- (June 19, 2008) e-mail from Kim Walker (EX.Main.EX26.2.34)
- (June 19, 2008) e-mail from Eduardo Sousa (EX.Main.EX26.2.35)
- (June 19, 2008) e-mail from Stacy Douglas (EX.Main.EX26.2.36)
- (June 19, 2008) e-mail from Shannon Marie (EX.Main.EX26.2.37)
- (June 19, 2008) e-mail from Mary Trapani Hynes (EX.Main.EX26.2.38)
- (June 19, 2008) e-mail from Rachel Horsley (EX.Main.EX26.2.39)
- (June 19, 2008) e-mail from Alejandro Arce (EX.Main.EX26.2.40)
- (June 20, 2008) e-mail from Arun Chatterjee (EX.Main.EX26.2.41)
- (July 8, 2008) e-mail from Ryan Singh (EX.Main.EX26.2.42)
- (June 20, 2008) e-mail from Karen Dawe (EX.Main.EX26.2.43)
- (June 19, 2008) e-mail from Adam Chaleff-Freudenthaler (EX.Main.EX26.2.44)
- (August 13, 2008) e-mail from Deborah Konecny (EX.Main.EX26.2.45)
- (October 14, 2008) fax from Gertude (EX.Supp.EX26.2.46)

EX26.3	ACTION	2:30 PM		Ward: 28
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Union Station Revitalization Implementation

Presentation Item

(October 29, 2008) Report from the Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that City Council approve the following recommendations:

1. Authorize the Chief Corporate Officer to continue the design and tender documentation to implement the first stage of the Recommended Approach for the revitalization of Union Station, including the West Wing.
2. Authorize the Chief Corporate Officer, further to Council's initial direction in December, 2007, to extend the services of the following consultants/professionals (excluding GST) as indicated below:
 - a. extend the retainer of Davies Ward Phillips & Vineberg LLP for legal work on this file at a cost not to exceed \$450,000;
 - b. extend the retainer of Deloitte & Touche LLP at a cost not to exceed \$800,000;
 - c. extend the retainer of Arup Canada Inc. at a cost not to exceed \$300,000; and
 - d. extend the retainer of NORR Limited Architects & Engineers (with Fournier, Gersovitz and Moss, Architects (FGMA) as the heritage consultants) at a cost not to exceed \$6.9 million.
3. Authorize the Chief Corporate Officer to:
 - a. execute an amendment to the Building Management Agreement with The Toronto Terminals Railway Company Limited to provide for a 3% management fee increase for the period January 1, 2009 to April 30, 2009;
 - b. provide for the Agreement to terminate on April 30, 2009 and for the services and leases to be assumed by Facilities and Real Estate; and
 - c. approve funding in the amount of \$13.182 million gross, \$0 net, included in the 2009 Recommended Operating Budget for Facilities and Real Estate as shown in Attachment 1 (all revenues are 100% from leases with no property tax implications).
4. Authorize the Chief Corporate Officer to carry out the following security-related initiatives:

- a. enter into a Transit Secure Round 3 & 4 Amendment to the existing Transit Secure Agreement with Transport Canada;
 - b. implement all phases of the Transit Secure project which will include video surveillance (in accordance with the City's Security Video Policy, the proposed installation of video surveillance in high profile locations must be reported to Council);
 - c. subject to performance satisfactory to the Chief Corporate Officer, exercise the option(s) to renew the G4S Security Services (Canada) Ltd. Agreement for the provision of security guard services at Union Station for 2009-2010 and 2010-2011;
 - d. extend the retainer of Marshall Macklin Monaghan (with Goldsmith Borgal and Company Ltd. Architects) in the amount of \$300,000 to complete life safety projects design and contract administration for life safety projects under the Transit-Secure Agreement; and
 - e. extend the retainer of PCL Constructors Canada Inc. in the amount of \$4.8 million for the completion of the life safety projects under the Transit-Secure Agreement.
5. Authorize the Chief Corporate Officer and the General Manager of Transportation Services to negotiate and enter into agreements with private landowners regarding tunnel connections, property requirements, security and maintenance related to the new Northwest PATH, in a form satisfactory to the City Solicitor.
 6. Authorize the Chief Corporate Officer to amend the existing Reciprocal Rights Agreement and enter into such other documentation with GO Transit, as may be necessary, to permit the atrium roof, as illustrated in Attachment 2, to encroach into the City's air space above the existing Trainshed roof, on such terms and conditions as the Chief Corporate Officer deems appropriate, and in a form satisfactory to the City Solicitor.
 7. Authorize the Chief Corporate Officer, on terms and conditions satisfactory to the Chief Corporate Officer and in a form satisfactory to the City Solicitor to negotiate and enter into a long-term agreement of up to 20 years on a single-source basis with Enwave Energy Corporation in order to provide a Deep Lake Water Cooling system for Union Station.
 8. That the Executive Committee receive the presentation from the Chief Corporate Officer.

Financial Impact

The 2009 Recommended Operating Budget for Facilities and Real Estate includes an amount of \$13.182 million gross, \$0 net to provide for the proposed management service model for Union Station, as detailed in Attachment 1. The proposal is to assume property management of the Station, previously provided by The Toronto Terminal Railways Company Limited (TTR).

TTR will fund the full costs of the model; for a net \$0 impact to the City. Although it would be prudent to refer this report to the Budget Committee for consideration with the City's 2009 Operating Budget process, it is recommended that this amendment be approved. The proposed model requires funding beginning in January, 2009.

The 2009 Recommended Capital Budget for Union Station includes funding for the consulting fees requested for the design of the Northwest PATH (\$4 million) and revitalization consultants (\$9.2 million). This work is needed to continue to allow for the coordination and integration of the City's work at the Station with the other transportation operators' construction schedules commencing in 2010.

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

Summary

This report requests authority to continue with the design for the revitalization of Union Station and the Northwest PATH connection. In addition, this report seeks authority to terminate the current building management agreement with The Toronto Terminals Railway Company Limited (TTR) and transfer the duties to the City.

It is important for City Council to adopt the recommendations to allow staff to continue with the design process by extending the consultants contracts.

Further to City Council's direction respecting the implementation of the Northwest PATH, there will be continuing discussions with property owners and the establishment of funding arrangements.

At the Executive Committee on November 10, 2008, the Chief Corporate Officer will present the revitalization scheme showing plans, elevations, cross sections and the pedestrian modelling, including a video.

Background Information

Union Station Revitalization Implementation

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16776.pdf>

EX26.4	ACTION			Ward: 27
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Relationship Framework for Yonge-Dundas Square

(October 27, 2008) Report from the City Manager

Recommendations

The City Manager recommends that:

1. City Council adopt the Relationship Framework for Yonge-Dundas Square Board, attached as Appendix 1.

2. City Council authorize the City Solicitor to introduce the necessary bills to amend Chapter 636 of the Municipal Code of the City of Toronto to implement the Relationship Framework and update the Code, substantially as proposed in Appendix 2.
3. The General Manager of Economic Development Culture and Tourism Division, as represented by the Director of Business Services, be designated the City's operational liaison for Yonge-Dundas Square Board, and provide support to the Board to ensure they maintain their operations in compliance with the Relationship Framework.

Financial Impact

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

Summary

This report recommends adoption of the Relationship Framework governing the relationship between the City and the Yonge-Dundas Square Board. It also recommends amendments to the Municipal Code required to implement the Framework.

The Relationship Framework defines the governance framework for Yonge-Dundas Square, including respective roles and responsibilities, accountabilities, expectations and requirements of the Board and the City.

Following comprehensive consultations and discussions with the members of the Yonge-Dundas Square Board and Administration, the staff of Economic Development Culture and Tourism Division, Legal Services, and Financial Planning, this Relationship Framework was developed and is attached as Appendix 1, with the proposed Municipal Code amendments as Appendix 2.

Background Information

Relationship Framework for Yonge-Dundas Square

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16629.pdf>

Appendix 1 - Relationship Framework for City of Toronto with Yonge-Dundas Square Board

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16630.pdf>

EX26.5	ACTION			Ward: All
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Proposed New Host Community Agreement with ICLEI

(October 27, 2008) Report from the City Manager

Recommendations

The City Manager recommends that:

1. Council authorize the execution of a new proposed host community agreement between the City of Toronto and ICLEI for the remainder of 2008 and 2009 generally in

accordance with the terms and conditions outlined in this report and as finalized to the satisfaction of the City Manager and in a form satisfactory to the City Solicitor.

Financial Impact

If the new host community agreement is adopted the City will realize a cost reduction of \$500,000 in cash payments (2010-2011) and approximately \$750,000 for the provision of in-kind services (2009-2011), for a new total cost reduction of approximately \$1.25 million.

Under the terms of the current host community agreement the City of Toronto provides financial support for ICLEI in the amount of approximately \$500,000 per year in cash and in-kind services. The current host community agreement began in 2007 and is scheduled to conclude at the end of 2011, with a total contribution of \$2.5 million over the five-year term of the agreement, if carried to term. Funding is included in the Non-Program Operating Budget (cost centre NP2067).

Under the proposed new host community agreement the City would provide ICLEI with \$250,000 for 2009 with no allowance for in-kind services. After 2009 the City would cease its cash support for ICLEI.

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

Summary

The purpose of this report is to seek City Council approval of a proposed new host community agreement between the City of Toronto and ICLEI – Local Governments for Sustainable (Management) Inc. for the remainder of 2008 and 2009.

Background Information

Proposed New Host Community Agreement with ICLEI
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16631.pdf>

EX26.6	ACTION			Ward: All
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Toronto 2015 Pan American/ParaPan American Games

(October 27, 2008) Report from the City Manager

Recommendations

The City Manager recommends that City Council:

1. Endorse the City of Toronto's role as the host city and participant in a bid to be submitted by the Bid Corporation to host the 2015 Pan American/ParaPan American Games in Toronto and communities in the Greater Golden Horseshoe region.
2. Authorize the City Manager to negotiate, approve and execute a Bid City Agreement on behalf of the City with the Province of Ontario, Government of Canada, Canadian

Olympic Committee and the Bid Corporation to define the roles and responsibilities of each of the parties, to the satisfaction of the City Manager and in a form satisfactory to the City Solicitor.

Financial Impact

There are no immediate financial implications, other than staff resources, with respect to proceeding with the bid to host the Games as outlined in this report. The City of Toronto will not be required to contribute to the cost of bidding for the Games.

The City of Toronto may elect to build new sport and recreation facilities which will be utilized by the Games in order to leverage Federal and Provincial sport infrastructure funding. Federal and Provincial sport capital funding is available only for capital projects that will be used for the Games.

There are no capital projects in the 2009 Capital Budget that have any implications for a Games bid. If any new or enhanced sports or recreation capital projects are proposed they will be put forward in the 2010 Capital budget.

A full report on the potential financial implications for Toronto of hosting the Games, should the bid be successful, will be presented to Council in February 2009 upon the development of a more specific sports venue and infrastructure plan.

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

Summary

The Government of Ontario, with the concurrence of the Canadian Olympic Committee and the Government of Canada, has indicated its interest in submitting a bid to hold the 2015 Pan Am and ParaPan Games in Toronto and the surrounding region. The province has established a Bid Corporation to develop the bid. A formal bid to host the Games must be submitted to The Pan American Sports Organization (PASO), which owns the rights to the Pan American Games, in April 2009. To comply with bid protocols, a host city must be named in the bid. This report seeks Council agreement in principle for the City of Toronto to be identified as host city as part of a bid to be submitted by the Bid Corporation to host the Games.

As the process to develop, submit and win a bid to host the Games proceeds through all of its stages, it is contemplated that the roles, responsibilities, obligations and benefits of all parties involved will be identified in a series of formal agreements. The first such agreement is a Bid City Agreement between the Canadian Olympic Committee, the City of Toronto, The Province of Ontario and the Bid Corporation. This Agreement will identify the City of Toronto as the Bid City and will set out the roles and responsibilities of all the parties involved in the development of the bid. There will be no financial implications for the City as a consequence of entering into a Bid Agreement. As this Agreement paves the way for subsequent activities, it must be signed by the end of January 2009. This report seeks Council authority to enter into a Bid City Agreement.

A more detailed Multi-Party Agreement in June 2009 will identify a venue strategy and all commitments, obligations and benefits for contributors to a Toronto regional Pan Am Games

(whether through funding or in-kind support). A Council mandate to enter into the Multi-Party Agreement will be sought in February 2009, when the City Manager will bring forward a detailed report on aspects of the bid affecting Toronto including a venue plan and analysis of the financial, social, economic and infrastructure implications for the City.

Background Information

Toronto 2015 Pan American/ParaPan American Games Bid

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16632.pdf>)

EX26.7	ACTION			Ward: All
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Timeframe for reporting on Access, Equity and Human Rights 2009-2011 Action Plans and Initiatives

(October 24, 2008) Report from the City Manager

Recommendations

The City Manager recommends that:

1. beginning in 2010, Divisional Access, Equity and Human Rights Action Plans be integrated in the City's service planning process; and
2. monitoring and reporting on the City's performance in achieving its objectives be reported twice per term of Council.

Financial Impact

None

Summary

To respond to Council's July 2008 directive to advance reporting on Access, Equity and Human Rights Action Plans for 2009-2011 to November 2008.

Background Information

Timeframe for Reporting on Access, Equity and Human Rights 2009-2011 Action Plans and Initiatives

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16633.pdf>)

EX26.8	ACTION			Ward: All
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Appointment to OMERS Administration Corporation Board

(October 9, 2008) Report from the City Manager

Recommendations

The City Manager recommends:

1. the reappointment of Cameron Weldon to the Administration Corporation for a term of three years, subject to Section 33 of the OMERS Act, 2006.
2. the City Manager be delegated the authority to identify and appoint a candidate who meets the required competencies on an ongoing basis for future appointments to the board, noting that Council may remove the City's appointee at any time upon written notice to that member and the Chair of the Board.

Financial Impact

There are no financial implications arising from the recommendations in this report.

Summary

The City of Toronto needs to appoint a person to serve on the board of the OMERS Administration Corporation (AC) before December 31, 2008, for a term of office expiring December 31, 2011. The AC board consists of 14 members of which one is to be appointed by the City of Toronto as an Employer member. The 14 members are split evenly between the Employer and the Employee members, with each appointee having one vote.

Cameron Weldon is currently the City's representative on the AC. He was appointed by the Province, by an Order in Council, in June 2006 for a term to expire December 31, 2008. The OMERS Sponsors Corporation (SC) is currently reviewing the composition of the AC as well as the method of choosing its members. They are expected to enact a by-law respecting this matter, which would take effect no earlier than June 30, 2009.

Cameron Weldon has served on the AC for two years. There is a significant investment, both by OMERS and the individual, in ensuring that each AC member is knowledgeable in the pension plan and pension governance. It is therefore appropriate that Cameron Weldon be reappointed to the AC for the next term or until the by-law is changed by the SC, whichever is earlier.

When City Council nominated a member to the predecessor OMERS SC transitional board in May 2006, it authorized the City Manager to identify a candidate and submit the name to the Province on behalf of the City. Council recognized that this was a unique situation that does not fit the profile for our standard board appointments processes, in particular because of the specialized knowledge requirements and the need to move quickly because of time constraints.

This is a similar appointment, which also has time constraints. Because these time constraints could arise again should the City's appointee cease to be a member, it is appropriate that the City Manager be delegated the authority to identify and appoint a candidate to the OMERS AC board on an ongoing basis.

As is the case with the OMERS SC, City Council could remove the City's appointee to the OMERS AC at any time should it choose to do so.

Background Information

Appointment to Omers Administration Corporation

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16634.pdf>)

EX26.9	Information			Ward: All
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Conflict of Interest Insurance

(October 22, 2008) Report from the City Manager

Financial Impact

There is no financial impact beyond what has already been approved in the current year's budget.

Summary

The purpose of this report is to provide information regarding Conflict of Interest insurance coverage for elected officials. Currently the City of Toronto purchases Conflict of Interest insurance as an endorsement to the Public Officials Errors and Omissions liability insurance policy.

Public Officials Errors and Omissions liability insurance provides coverage for liability resulting from errors or omissions in the performance of professional duties. It may also be referred to as the municipal form of directors & officers liability insurance. It applies to elected or appointed officials, officers, members of commissions, boards, units, committees and special purpose bodies operated by and under the jurisdiction of the City of Toronto. The insurance policy also applies to the City's lawyers, architects, engineers and accountants, as well as members of the Toronto Police Service. Endorsement No.1 of this insurance policy is Conflict of Interest Insurance.

Background Information

Conflict of Interest Insurance

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16635.pdf>)

EX26.10	ACTION			Ward: All
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2009 Interim Operating Budget Estimates

(November 3, 2008) Report from the Acting Deputy City Manager and Chief Financial Officer

Recommendations

The City Manager and Acting Deputy City Manager and Chief Financial Officer recommend that Council:

1. Approve the 2009 Interim Operating Gross Budget Estimates totalling \$3.190 billion as detailed by City Program, Agency, Board and Commission in the attached Appendix 1.
2. Authorize the Acting Deputy City Manager and Chief Financial Officer to make net disbursements of \$2.631 billion during the period January 1, to April 30, 2009, including cash transfers of \$553.7 million to Agencies, Boards and Commissions as detailed in the attached Appendix 1.
3. Authorize and direct the appropriate City Officials to take the necessary action to give effect thereto.

Financial Impact

2009 Interim Operating Budget Estimates For Period January 1 to April 30, 2009 \$000s		
	Gross	Net
City Operations	1,753,298.9	1,716,051.4
Agencies, Boards and Commissions	1,049,745.6	553,656.7
Corporate Accounts	361,112.9	361,112.9
Levy Operations	3,164,157.4	2,630,821.0
Toronto Parking Authority	25,813.7	0.0
Total City	3,189,971.1	2,630,821.0

The 2009 Interim Operating Gross Budget Estimates of \$3.190 billion recommended in this report will establish spending authority for City Programs and Agencies, Boards and Commissions during the period January 1, to April 30, 2009 as detailed in the attached Appendix 1 and summarized in the Table above. For City Programs and Agencies, Boards and Commissions (ABCs), the 2009 Interim Operating Budget is estimated at 40% of the 2008 Council Approved Gross Operating Budget.

Estimated cash outflows required from January 1 to April 30, 2009 will total \$2.631 billion (see Appendix 1 and Table 1 above). Funding for City Operations will approximate \$1.753 billion and \$361.113 million for Corporate Accounts. Most ABCs are only partially funded by the City. These include the Toronto Transit Commission (TTC) for which approximately 79% of expenditures are funded from its own receipts. As detailed in Appendix 1, transfers to ABCs to enable them to meet their cash obligations are estimated at \$553.657 million.

Summary

The purpose of this report is to request Council's approval of the 2009 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, 2009.

In accordance with the Financial Control By-Law, an Interim Operating Budget must be approved prior to January 1, 2009 to ensure that appropriate Council approval is granted to fund the continuance of the City's business during the period January 1st to April 30th, 2009. The 2009 Interim Operating Budget Estimates total \$3.190 billion gross; and require cash outflows of \$2.631 billion net.

Background Information

2009 Interim Operating Budget Estimates

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-17095.pdf>

Appendix 1 - 2009 Interim Operating Gross Budget Estimates

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-17096.pdf>

EX26.11	ACTION			Ward: All
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Property Taxes: 2009 Interim Levy By-law

(October 23, 2008) Report from the Acting Treasurer

Recommendations

The Treasurer recommends that:

1. the 2009 interim levy for all property classes levy property tax amounts based on 50 per cent of the total 2008 taxes billed for each property;
2. the 2009 interim levy by-law provide that the interim levy will apply to assessments added to the tax roll for 2008 that were not on the assessment roll when the by-law was passed;
3. the Interim Bill payment due dates for property tax accounts paid on the eleven (11) instalment pre-authorized payment plan be: February 17, March 16, April 15, May 15, and June 15, 2009;
4. the Interim Bill payment due date for the two (2) instalment pre-authorized payment plan be March 2, 2009;
5. the Interim Bill payment due dates for all other property tax accounts on the regular instalment option or on the six (6) instalment pre-authorized payment plan be: March 2, April 1, and May 1, 2009;
6. Council provide authority for
 - a. the collection of interim taxes;
 - b. imposing a penalty charge for non-payment of interim taxes at a rate of 1.25 per cent of taxes due and unpaid and the addition of such charges on the first day of default; and
 - c. imposing an interest charge on all outstanding taxes accruing from the first day of default at a rate of 1.25 per cent per month;

7. authority be granted for the introduction of the necessary bill in Council on December 2, 2008, providing for the levying and collection of the 2009 interim taxes prior to the adoption of the estimates for 2009, which by-law, when enacted, will be effective as of January 1, 2009; and
8. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

Enacting a by-law that establishes an interim tax levy will permit the City to raise the property tax revenues needed to fund its operations until such time as the 2009 Operating Budget and 2009 final tax levy are approved by Council.

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

Summary

This report requests Council authority to adopt the necessary by-law to levy interim property taxes for all property classes for 2009 and to prescribe applicable interim bill payment due dates. The 2009 interim levy will provide for the cash requirements of the City until such time as the 2009 Operating Budget and 2009 final property tax levy are approved by Council.

Background Information

Property Taxes: 2009 Interim Levy By-law

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16638.pdf>

EX26.12	ACTION			Ward: All
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Request for a Capital Loan Guarantee for Theatre Direct

(October 27, 2008) Report from the Acting Deputy City Manager and Chief Financial Officer

Recommendations

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

1. a. The City provide a capital loan guarantee on behalf of Theatre Direct to its financial institution in the amount of \$150,000.00 (inclusive of all interest costs payable by Theatre Direct), commencing on December 1, 2008 until November 30, 2013;
- b. the City enter into an agreement with Theatre Direct with respect to the capital loan guarantee; and
- c. the City enter into a tri-party agreement with Theatre Direct and with its financial institution with respect to the capital loan guarantee.

2. Such guarantee and all related agreements be on terms and conditions satisfactory to the City Solicitor, the Deputy City Manager and Chief Financial Officer as well as Deputy City Manager Sue Corke, and that the Deputy City Manager and Chief Financial Officer be requested to negotiate appropriate and adequate safeguards, to the satisfaction of the City Solicitor, with the City being promptly advised in the event of default or delay in the payment of interest.
3. Theatre Direct provides the Deputy City Manager and Chief Financial Officer with their 2008, 2009 and 2010 audited financial statements when they become available.
4. The guarantee be deemed to be in the interest of the municipality.
5. The appropriate officials be authorized to take the necessary action to give effect thereto.

Financial Impact

Issuance of a capital loan guarantee is considered to be a financial commitment of the City. However, there is no direct cost to the City for providing this guarantee unless the organization defaults on its obligation and the City cannot recover funds from Theatre Direct. The maximum exposure to the City is \$150,000 of the total capital cost of \$500,000.

Summary

This report seeks Council approval of a capital loan guarantee on behalf of Theatre Direct for the amount of \$150,000.00 from December 1, 2008 until November 30, 2013.

Background Information

Request for a Capital Loan Guarantee for Theatre Direct
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16639.pdf>

EX26.13	Information			Ward: All
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Heads and Beds Levy on Institutions

(October 23, 2008) Report from the City Solicitor and Acting Treasurer

Financial Impact

There are no financial impacts associated with this report.

Summary

This report provides a review of the legislative base for taxation on Universities and Colleges, Hospitals and Correctional Facilities (Institutions).

Background Information

Heads and Beds Levy on Institutions

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16640.pdf>)

EX26.14	ACTION			Ward: All
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Update on Adjournment to Integrated Power System Plan Hearings

(October 28, 2008) Report from Deputy City Manager, Richard Butts and the Acting Deputy City Manager and the Chief Financial Officer

Recommendations

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

1. Deputy City Manager Richard Butts and the Acting Deputy City Manager and Chief Financial Officer use the IPSP hearing hiatus to pursue focussed advocacy of the City's energy sustainability goals and priorities directly with the OPA, through participation in the OPA's intervenor consultations regarding its resource review;
2. In addition to, and consistent with, the positions and policies previously approved by Council in prior reports regarding the IPSP, the City advocate both during the OPA consultations and before the Board positions on the IPSP, as amended, that are supportive of and informed by the strategic direction of the Toronto Sustainable Energy Plan that is the subject of a separate report to the Executive Committee; and
3. the appropriate City staff be authorized to take any action necessary to give effect to the foregoing recommendations.

Financial Impact

There are no financial implications arising from this report. Funding for external legal and technical consulting services was approved by City Council at its meeting of July 15, 16 and 17, 2008 referred to below.

Summary

On October 2nd, the Ontario Energy Board (the "Board") directed adjournment of the Integrated Power System Plan ("IPSP") hearing. The Board found that it would not be efficient to continue with the hearing or evidence and cross-examination thereon until such time as the Ontario Power Authority ("OPA") files an updated IPSP in response to the Supplementary Directive issued by the Minister of Energy and Infrastructure on September 17, 2008.

The Supplemental Directive directs the OPA to submit a revised IPSP after considering new targets in the areas of conservation and demand management, renewable energy sources, distributed generation and solutions to transmission congestion.

The OPA has advised that it will file an updated IPSP by March 16, 2009, as directed by the Minister. As an interim step, the Board has directed the OPA to submit a written update on

November 30, 2008, on the status of the plan update and advising of any change to the March 16 filing date.

The OPA has advised the Board that it will consult with intervenors as it conducts the resource review directed by the Minister and updates its IPSP filing.

This report recommends that the City use the IPSP hearing hiatus to pursue focussed advocacy of the City's energy sustainability goals and priorities directly with the OPA, through participation in the OPA's intervenor consultations regarding its resource review and that when the IPSP hearings resume in 2009 the City continue to advocate positions that are supportive of and informed by the Toronto Sustainable Energy Plan recommended under a separate report.

Background Information

Update on Adjournment to Integrated Power System Plan Hearings
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16641.pdf>

EX26.15	ACTION	2:00 PM		Ward: 28
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Staff Due Diligence Review of the Proposed George Brown College Campus - East Bayfront

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

(October 24, 2008) Report from Deputy City Manager, Richard Butts

Recommendations

It is recommended that:

1. Council grant authority for the City, as Landlord, to enter into a long term lease agreement (the "Lease") with The George Brown College of Applied Arts and Technology (the "Tenant") for that part of the EBF Lands shown as Blocks 3, 4 and 5 on Attachment 5 (the "Leased Lands") substantially on the terms and conditions set out in Attachment 2, together with such other terms and conditions as may be deemed appropriate by the Deputy City Manager whose responsibilities include Waterfront Revitalization in consultation with the Chief Corporate Officer and in a form satisfactory to the City Solicitor, subject to Recommendation (2) of this Report;
2. Prior to the City entering into the Lease, 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. Registration of the plan of subdivision which includes the Leased Lands;

- b. WT and GBC having entered into the development agreements, which shall include settling the terms of all other agreements required under the development agreements including the ground floor animation agreement, energy services agreement and underground parking agreement;
 - c. GBC having agreed to sublease to GBC and WT as co-tenants, the underground portion of the Leased Lands to facilitate construction of an underground parking garage by GBC and WT and confirmation from WT that WT will make parking available to the tenant of First Waterfront Place as required under the TEDCO lease to Corus Entertainment Inc. authorized by Council at its meeting of May 23, 24 and 25, 2008;
 - d. The receipt by the City of a legal opinion in respect of the corporate status, powers and authority of the Tenant (GBC) to enter into the Lease;
 - e. An undertaking from WT to the City that all base rent received by WT from the Tenant in accordance with Recommendation (3) shall be used for re-investment in the revitalization of the waterfront in accordance with Policy and Finance Committee Report 9, Clause 1, headed “Governance Structure for Toronto Waterfront Revitalization” adopted by Council at its meeting of November 30, December 1 and 2, 2004; and
 - f. An undertaking from WT to the City that WT will circulate all GBC/WT development agreements and associated agreements to the City for consideration and will obtain the City’s input on all matters which materially affect the City’s interest as landowner.
3. Council grant authority for the City, concurrent with the City’s execution of the Lease, to direct the Tenant to pay all base rent under the Lease to WT during the first 24 year rental period in form and content satisfactory to the City Solicitor;
 4. Council authorize WT to capitalize both the base rent for the first twenty years of its operation as provided for in Recommendation (3) and the interest of WT in the underground parking structure subject to the proceeds from both endeavours being reinvested in Waterfront Revitalization;
 5. Council direct the Waterfront Project Director that the base rent which is redirected to WT from GBC as provided for in Recommendation (3), and/or any capitalization provided for in Recommendation (4) 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;
 6. Council authorize the Deputy City Manager whose responsibilities include Waterfront Revitalization, in consultation with the Chief Corporate Officer and City Solicitor, to negotiate and have executed the Lease, including any amendments in relation to the Lease not materially inconsistent with the major terms and conditions described in Attachment 2 to this report as approved by Council;

7. If the Lease is not finalized and executed by December 31, 2009, the Deputy City Manager whose responsibilities include Waterfront Revitalization be directed to report back to the Executive Committee with a recommended course of action;
8. Council grant authority to the Chief Corporate Officer, his successor / designate, in consultation with the Waterfront Project Director, to administer and manage the Lease including the provision of any consents (including but not limited to consents to any subleases, assignments, financial charges of any interests in the Lease or the Leased Lands for the underground parking facility and the development of the Block 5 portion of the Leased Lands), approvals, waivers, notices (including notices of termination) provided that the Chief Corporate Officer may, at that time, refer consideration of such matters (including their content) to City Council for its determination and direction;
9. Subject to Recommendation (10), that the City consent to the Tenant acting as the City's agent as owner of the Leased Lands to sign any planning or development applications and agreements in furtherance of the development and construction of the Leased Lands, or alternatively that the City itself execute such documentation solely in its capacity as owner of the Leased Lands, on terms satisfactory to the Deputy City Manager whose responsibilities include Waterfront Revitalization, and in form satisfactory to the City Solicitor;
10. All actions described in Recommendation (9) shall be taken by or on behalf of the City in its capacity as land owner and not in its capacity as a planning authority under the *Planning Act*, the *City of Toronto Act, 2006*, or otherwise and such actions are not intended to and do not fetter the City's planning and municipal rights and responsibilities;
11. City consent to WT acting as the City's agent as owner of the Leased Lands and/or any other lands within EBF, to sign any 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 Leased Lands, and/or any other lands within EBF or alternatively that the City itself execute such documentation solely in its capacity as land owner, provided WT agrees to assume all obligations including costs and liabilities under such documentation and subject to such other terms satisfactory to the Deputy Manager whose responsibilities include Waterfront Revitalization, and in form satisfactory to the City Solicitor;
12. The Chief Corporate Officer and the Deputy City Manager whose responsibilities include Waterfront Revitalization, be authorized singularly or jointly as necessary to execute and deliver all such documentation described in Recommendations (9) and (11) of this Report, on behalf of the City;
13. Council authorize the Deputy City Manager whose responsibilities include Waterfront Revitalization to execute the non-binding GBC/WT/City Letter of Intent contained in Attachment 4 to this report as a basis for continued negotiations amongst the three parties regarding a joint GBC/municipal recreation facility at the base of the student residence building on Block 5, subject to any further revisions required by the City

Solicitor;

14. Council direct the Waterfront Project Director, in consultation with the General Manager of Parks, Forestry and Recreation and the Director of the Office of Partnerships, that following negotiations regarding a joint GBC/municipal recreation facility, to bring forward any agreements with the parties addressing, amongst other matters, the items identified in the Letter of Intent or alternatively, a report outlining areas of disagreement;
15. Council direct the Waterfront Project Director, in consultation with the City Solicitor, to report to the Executive Committee with recommendations as to the advisability of the City entering into any successor agreement(s) with WT in respect of the East Bayfront Lands prior to the winding up of the WT corporation as provided for in the *Toronto Waterfront Revitalization Corporation Act, 2002*;
16. Council authorize the public release of the confidential information in Attachment 1 upon the completion of the development of the publicly-owned lands in EBF as determined by the Deputy City Manager whose responsibilities include Waterfront Revitalization; and
17. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

During the first twenty-four years, the lease of the subject lands to GBC will not result in any financial impact on the City. WT has indicated that it may sell the rights to the rental revenues received over this initial period to a third party in order to realize an up-front payment that can be used to fund other revitalization activities. This is in accordance with 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, which recommended that revenues derived from the lease or sale of City lands in the Designated Waterfront Area (DWA) be reinvested through WT in other revitalization projects.

After the first twenty-four years, the land lease revenues will flow to the City for the remainder of the 103-year lease with GBC. During this remaining period of the lease, the land rents paid by GBC are to be based on the market value for similar land being applied for a similar use.

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

Summary

The Toronto Waterfront Revitalization Corporation (WT), as Council’s designated revitalization lead in East Bayfront (EBF), has endorsed the development of a George Brown College (GBC) waterfront campus on 0.83 ha (2.04 acres) of City-owned land, subject to the approval of Toronto City Council. The campus will house the College’s Centre for Health Sciences including its academic facilities, a 500-bed student residence, recreation centre and below grade parking.

This report provides the results of City staff's due diligence review of WT's proposal and seeks authorization to enter into a long-term ground lease with GBC, the major terms of which are contained in Attachment 2. The lease term is 103 years, consisting of an initial four year design and construction period followed by a 99 year term. The ground lease addresses the City's concerns as land-owner and GBC's obligations as tenant. WT is not a party to the ground lease; however, the lease is premised on WT's designation as revitalization lead and its limited life span remaining of approximately 20 years under the *TWRC Act, 2002*. Following the dissolution of WT, the lands will continue to be owned by the City of Toronto.

Terms relating to the construction and development of the campus are set out in development agreements and certain other agreements between WT, as revitalization lead with responsibility for the overall coordination of waterfront projects and infrastructure, and GBC, as builder and future owner of the campus buildings. The City is not a party to these agreements. However, the agreements are premised on the satisfaction of all City regulatory processes.

This report also seeks Council's endorsement of a non-binding Letter of Intent (LOI) as a basis for negotiations with GBC and WT regarding a joint GBC/municipal recreation facility to be situated in the student residence building. The LOI is contained in Attachment 4 to this report.

The subject lands are located south of Queens Quay East between Lower Jarvis and Lower Sherbourne Streets, identified as Blocks 3, 4 and 5 on Figure 1 (Attachment 5). Block 3 will house the academic facilities of the campus. Block 5 will house the student residence facilities and recreation centre. Block 4 is a below grade parcel located under the future public road between Blocks 3 and 5. The below grade portions of Blocks 3 and 5 together with Block 4 will form one connected underground parking facility providing parking for GBC use, the adjacent First Waterfront Place (Corus Entertainment Inc.) development and visitors to the precinct at large.

Background Information

Staff Due Diligence Review of the Proposed George Brown College Campus - East Bayfront (<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16642.pdf>)

EX26.16	ACTION			Ward: All
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Waterfront Parks Operations and Capital State of Good Repair Funding Strategy

(October 23, 2008) Report from Deputy City Manager, Richard Butts

Recommendations

The Deputy City Manager whose responsibilities include Waterfront Revitalization, the Waterfront Project Director and the General Manager of Parks, Forestry and Recreation recommend that:

1. Subject to approval of the Government of Canada, the primary funder of Waterfront parks and public spaces, and the Province of Ontario, Council approve creation of a Waterfront Capital Preservation Reserve Fund comprised of funds contributed by Waterfront Toronto (WT) in an amount equivalent to 10% of its capital budget for completed waterfront parks and public spaces, with this fund to be used to cover the capital state of good repair costs of Don River Park, Sherbourne Park, Jarvis public space and other waterfront parks and public spaces as they are developed for their first five years of operation;
2. Council direct the Deputy City Manager whose responsibilities include Waterfront Revitalization, and the Acting Deputy City Manager and Chief Financial Officer, to develop criteria for management and governance of the Waterfront Capital Preservation Reserve Fund, with such criteria to be subject to Council approval;
3. When reporting Council in 2009, with updated projections on the operating impact of waterfront renewal on City programs and services, staff address: (a) the status of the Waterfront Capital Preservation Reserve Fund; and (b) strategies for addressing capital preservation of the Central Waterfront Public Realm;
4. Council request that the Waterfront Project Director, with WT, the Director of Partnerships, the General Managers of Parks Forestry and Recreation and Economic Development, Culture and Tourism, and the Acting Deputy City Manager and Chief Financial Officer explore the following longer term strategies for financing the operating and capital state of good repair costs of waterfront parks and public spaces:
 - i. development of a concession strategy;
 - ii. creation of BIAs whose contributions to the community support high quality parks and public spaces and attract customers and residents to the area;
 - iii. a special services levy, in consultation with the Province of Ontario; and
 - iv. a waterfront philanthropic and sponsorship strategy that is consistent with City policy and coordinated with other City initiatives;
5. The Deputy City Manager whose responsibilities include Waterfront Revitalization recommend to Council those strategies that prove to be feasible, prior to any implementation taking place;
6. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

WT currently estimates the capital cost of parks included in its long term plan at \$70 million. Included in this estimate are Don River Park, Sherbourne Park and Jarvis Slip Public Space, all of which are scheduled for completion in 2010. Also included are Aitken Place Park, the Cherry Street TTC Loop, Parliament Street Park, Dominion Foundry Mews, Cork Town Mews, Front Street Triangle, and Lake Ontario Park Phase 1. The value of the WT contribution to a

Capital Preservation Reserve Fund would be 10% of this capital estimate, or \$7 million, which would be held in the Waterfront Capital Preservation Reserve Fund and used to pay for capital state of good repair costs for these parks in the first 5 years of their operation. On a go forward basis, WT would continue to contribute 10% of the park capital cost for additional waterfront parks as they develop.

Further discussion is required with other waterfront stakeholders to determine the appropriate mechanism for financing capital state of good repair costs for the Central Waterfront Public Realm. Options in this regard will be reported in 2009, when staff update the operating impact of waterfront renewal on all municipal programs and services.

The preliminary annual operating and capital state of good repair costs for Don River, Sherbourne and Jarvis parks are estimated at \$2 million (operating) and \$0.6 million (capital). These estimates will be refined based on detailed business cases to be submitted on a park specific basis as part of the City Operating and Capital Budget process for the year in which these parks become operational.

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

Summary

The purpose of this report is to recommend strategies to mitigate the financial impact of new waterfront parks and public spaces on City operating and capital state of good repair budgets. Recommendations reflect findings from the Waterfront Parks Operations and Maintenance Strategy Study, prepared for the City and Waterfront Toronto (WT) by HR&A Advisors and reported to Council in November 2007, entitled “Operating Budget Impacts of Waterfront Revitalization” (Executive Committee Report 13.4).

In managing waterfront parks, the City will have financial responsibility for capital state of good repair costs and routine operating costs, such as litter picking, grass cutting, garbage and recycling, and maintenance of washrooms, playgrounds and other facilities.

Revenues from mitigation strategies recommended in this report are intended to augment base funding provided through traditional municipal sources. In the short term, these strategies include securing a contribution from WT equivalent to 10% of its capital budget for parks and public spaces to be held in a Waterfront Capital Preservation Reserve Fund managed by the City and used to cover capital state of good repair costs of new waterfront parks and public spaces for their first five years of operation. Capital state of good repair costs include the repair and replacement of park features and facilities.

Also in the short-term, opportunities for enhancing onsite earned revenue in a manner that allows waterfront parks to develop as year round destinations with appropriate public amenities will be explored.

In the longer term, as new waterfront communities develop adjacent to new parks and public spaces, additional strategies will be evaluated, including: creating BIAs whose mandates include supporting adjacent parks and public spaces, recognizing that these spaces will attract significant customers to the area; assessing the feasibility of a special services levy through

which new development adjacent to higher-end waterfront parks may contribute to parks costs; and with WT, exploring the viability of implementing philanthropic and sponsorship strategies that support individual parks. Implementation of these initiatives, should they prove feasible, will require Council approval.

Background Information

Waterfront Parks Operations and Capital State of Good Repair Funding Strategy
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16643.pdf>

EX26.17	ACTION			Ward: All
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Land Transfer Tax and Property Tax related to the Green Lane Landfill

(October 24, 2008) Report from the General Manager, Solid Waste Management Services and the Acting Deputy City Manager and Chief Financial Officer

Recommendations

The General Manager, Solid Waste Management Services and the Acting Deputy City Manager and Chief Financial Officer recommends that:

1. City Council ratify the payment to the Province of Ontario in the amount of \$3,660,365.65, in accordance with a Notice of Assessment issued by the Ministry of Revenue under the Land Transfer Tax Act (the “Notice of Assessment”) and authorize the Acting Deputy City Manager and Chief Financial Officer to withdraw this amount as well as an amount up to \$0.350 million for associated legal expenses from the Waste Management Reserve Fund;
2. the City Solicitor, in consultation with the General Manager, Solid Waste Management Services, be authorized, on behalf of the City, to object to the Notice of Assessment under the Land Transfer Tax Act, to take any other actions, and to commence any related legal proceedings, including any claims, actions, applications or appeals, as warranted, and to discontinue or settle any such objection or legal proceeding where the City Solicitor, in consultation with the General Manager, Solid Waste Management Services, and the Acting Deputy City Manager and Chief Financial Officer, concludes that it is reasonable to do so and to execute any documents in furtherance thereof;
3. the City Solicitor, in consultation with the General Manager, Solid Waste Management Services, be authorized, on behalf of the City, to object to any reassessment under the Assessment Act, to take any other actions or commence any related legal proceedings, including any claims, actions, applications or appeals, as warranted, and to discontinue or settle any such objection or legal proceeding where the City Solicitor, in consultation with the General Manager, Solid Waste Management Services, and the Acting Deputy City Manager and Chief Financial Officer, concludes that it is reasonable to do so and to execute any documents in furtherance thereof;

4. subject to the adoption of Recommendation 2, the City Solicitor be authorized to retain, on a sole source basis, Stikeman Elliott LLP for up to a maximum of \$250,000.00 net of all taxes for the provision of legal services outlined in Recommendation 2;
5. subject to the adoption of Recommendation 3, the City Solicitor be authorized to retain such legal or technical expertise, for up to a maximum of \$100,000.00 net of all taxes, as is necessary to represent and/or advise the City with respect to any reassessment proposed by the Municipal Property Assessment Corporation; and,
6. the 2008 Solid Waste Management Services Capital Budget for Capital Account CSW007-01-01 (Landfill Purchase Price) be increased by \$4,010,365.65 gross, funded from the Waste Management Reserve Fund, for provincial land transfer tax on the Green Lane Landfill and the cost of retaining outside legal counsel with respect to land transfer tax and legal and/or technical expertise related to property tax assessment.

Financial Impact

Funds in the amount of \$3,660,365.50 as a result of the Notice of Assessment under the Land Transfer Tax Act have been charged to Capital Account CSW007-01-01 (Landfill Purchase Price) and remitted to the Ministry of Revenue. This report seeks authority to fund this payment from the Waste Management Reserve Fund. Should the City be successful in the objection or appeal of the assessment, the above amount will be remitted back to the City from the Province and deposited into the reserve fund.

In the event the City is not successful, the additional land transfer tax and penalties and interest will be expenditures funded by the Waste Management Reserve Fund. This impact would be considered as part of the 2009 or future budget processes for Solid Waste Management Services.

The cost of outside legal and expert services is currently valued at \$0.350 million based on the amount of the sole source retainer agreement with Stikeman Elliott LLP and an estimate of legal and expert costs with respect to property tax and will be funded from the Green Lane Capital Account.

Summary

The purpose of this report is to seek authority to draw from the Waste Management Reserve Fund to pay the assessed provincial land transfer tax on the Green Lane Landfill, object to and appeal the Ministry of Revenue assessment, object to and appeal a proposed new property tax assessment, if necessary, and take whatever actions are necessary to challenge or seek revisions to these tax assessments, including the retention of outside counsel to represent and technical experts to advise the City with respect to these matters.

Background Information

Land Transfer Tax and Property Tax related to the Green Lane Landfill
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16644.pdf>)

EX26.18	ACTION			Ward: All
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Landfill Disposal Fees Delegation

(October 27, 2008) Report from the General Manager, Solid Waste Management Services

Recommendations

The General Manager, Solid Waste Management Services, recommends that:

1. Council adopt the ranges of Green Lane Landfill waste disposal fees set out in Attachment 1 for various types of waste brought to the Green Lane landfill other than through Toronto's waste collection system;
2. subject to the adoption of Recommendation (1), the Director, Transfer and Disposal Operations, Solid Waste Management Services, be delegated the authority to establish waste disposal fees within the ranges of fees for the types of waste set out in Attachment 1, and any similar wastes, subject to the condition that the process set out in Attachment 2 be approved as the basis upon which the Director, Transfer and Disposal Operations, Solid Waste Management Services, is authorized to establish the disposal fees;
3. the City's Internal Auditor review the exercise of the delegated authority for disposal fees at the Green Lane Landfill within the first year after its authorization and thereafter any further reviews be undertaken at the Internal Auditor's discretion;
4. the establishment of waste disposal fees in accordance with the delegated authority authorized in Recommendation 2 be specifically excluded from the interim notice policy and any future notice policy; and
5. the General Manager, Solid Waste Management Services, consult regularly with the Internal Auditor and report back to the Budget Committee each year on the exercise of this delegated authority, whether the delegated authority should continue, and if so, any recommended changes to the delegated authority.
6. This report be forwarded to the Budget Committee of November 17, 2008 for review and comment.

Financial Impact

The quantity of waste associated with spot disposal (disposed of directly at the Green Lane Landfill by customers who do not have contracts with the City) is difficult to accurately project as it fluctuates with industry needs and market conditions. The approved 2008 Operating Budget for Solid Waste Management Services includes a paid waste revenue of \$1,883,801.00. The projection for 2008 based on paid waste received to September 30, 2008 is approximately \$3,250,000.00.

The 2009 Solid Waste Management Services Operating Budget Submission includes revenue associated with paid waste of approximately \$4,535,000.00. This recommended budgeted

increase in revenue of \$2,651,199.00 is necessary to offset the loss of tonnage and revenue resulting from Green Lane Environmental Ltd.'s business being sold to BFI effective May 1, 2008. While Green Lane Environmental Ltd. brought approximately 60,000 tonnes per year for disposal, the assignment and assumption of the Disposal Agreement resulted in only a guaranteed receipt of 22,500 tonnes annually. Therefore, the City could realize a loss of up to 37,500 tonnes annually if BFI chooses to divert other waste tonnes to other disposal options. In order to continue to meet revenue goals, this loss in tonnage and associated revenue must be made up with spot disposal private sector tonnes. While the delegation of authority to change spot disposal rates will not change the 2009 Recommended Operating Budget of Solid Waste Management Services, it will provide adjusted actual revenue as deemed necessary by the Director, Transfer and Disposal Operations, Solid Waste Management Services. The implementation of spot disposal rates, based on the fee schedule included in Attachment 1, should encourage larger volumes of waste and is critical to meet the 2009 financial goals for Green Lane Landfill and the goals of Council to ensure the landfill is self sustaining while maintaining the asset for the residents of Toronto.

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

Summary

The purpose of this report is to seek approval for ranges of waste disposal fees for various types of waste brought to the Green Lane Landfill other than through Toronto's waste collection system, and to seek authority for the delegation, to the Director, Transfer and Disposal Operations, Solid Waste Management Services, of the establishment of disposal fees within those ranges.

Background Information

Landfill Disposal Fees Delegation

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16645.pdf>

Attachment 1 - Types of Waste and Applicable Fees Ranges

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16646.pdf>

Attachment 2 - Process for the Exercise of Discretion

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16647.pdf>

EX26.19	ACTION			Ward: All
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Toronto Sustainable Energy Plan

(October 24, 2008) Report from the Deputy City Manager and the Acting Deputy City Manager and Chief Financial Officer

Recommendations

The Deputy City Manager, Cluster B, and Acting Deputy City Manager and Chief Financial Officer recommend that the Executive Committee adopt the following:

Strategic Recommendations:

1. Support the direction outlined in this report of reducing greenhouse gas emissions from stationary energy use through:
 - i. assisting the Province in phasing out coal-fired electricity generation by 2014 through conservation and demand management programs and other initiatives;
 - ii. an increased focus on reducing emissions associated with the provision of thermal energy sources (primarily natural gas) following the phase-out of coal-fired electricity generation in Ontario;
 - iii. continued support for a transition from carbon-based to renewable energy generation; and,
 - iv. the use of regulations, incentives and educational initiatives as tools to support this approach.
2. Approve in principle the formation of a City and Toronto Hydro staff coordinating committee that will:
 - i. research, develop and recommend joint sustainable energy initiatives;
 - ii. employ scenario modeling to support effective program planning and to ensure that the City's investments in emission reduction activities are well-directed;
 - iii. address the issue of full life-cycle accounting methods to better recognize the full costs and benefits of investments in sustainable energy;
 - iv. develop short term targets for electricity demand reduction, natural gas conservation and renewable energy production;
 - v. continue to identify, and recommend steps to overcome, barriers to the realization of Toronto's sustainable energy resource potential;
 - vi. work with stakeholders as part of its mandate; and,
 - vii. report to a steering committee consisting of the Deputy City Manager, Cluster B, the Acting Deputy City Manager and Chief Financial Officer, and the President and CEO of Toronto Hydro Corporation.
3. a. On behalf of the City, staff engage the Provincial Government and other potential partners to advocate for the creation of a Toronto energy coordinating body that will:
 - i. support the strategic direction described in Recommendation 1 above;
 - ii. recognize Toronto's unique energy needs;

- iii. reflect the need for the local development and delivery of energy policy and programs;
 - iv. acknowledge and build on the strong track record the City and Toronto Hydro have in developing and delivering energy programs; and,
 - v. address barriers to the realization of Toronto's sustainable energy resource potential in support of the City's greenhouse gas reduction targets, including those outlined in this report.
- b. Based on the results of discussions with the provincial government and other potential partners, request staff to prepare further Terms of Reference for the coordinating body.
4. Green Power Sourcing recommendations:
- a. In order to advance the 25 percent green power target the Chief Corporate Officer be authorized to:
 - i. continue negotiations with Toronto Hydro Energy Services Inc. (TH Energy) to develop the City's potential renewable energy opportunities with a view to purchasing or utilizing the green energy generated for City facilities or operations;
 - ii. investigate the feasibility of partnering with TH Energy to develop a wind power project including TH Energy's proposed off-shore wind project or other wind power projects in Ontario;
 - iii. issue a request for expressions of interest for joint ventures with community partners to develop green power assets for the City to be used towards the City's green power targets; and,
 - iv. investigate the feasibility of using the City's Sustainable Energy Funds for developing an incentive program to promote community based renewable energy projects that could be used towards the City's 25% green power target;
 - b. The Chief Corporate Officer report back to the Executive Committee on the results of discussions with TH Energy and financial implications of partnering with TH Energy or community partners in order to meet the City's 25% green energy target;
 - c. The Chief Corporate Officer be authorized to continue the purchase of green power for City Hall at a cost of \$500,000 each year as a showcase for sustainability until other green power purchase agreements are in place.

Further Reports:

5. Direct the Chief Corporate Officer to report back to the Executive Committee during the first quarter of 2009, regarding the Sustainable Energy Funds loan targets versus actual results during 2008 and any recommended adjustments to the current program design for future years.
6. Request Toronto Hydro Corporation and the Chief Corporate Officer to report back to the Executive Committee in 2009 on the status of “smart meter”, “smart grid” and related initiatives, and their potential for assisting the City in meeting its greenhouse gas emissions targets, including the issue of distributed generation of energy from clean and renewable sources.

Authorization:

7. Authorize the appropriate City officials to take any actions necessary to give effect to the foregoing.

Financial Impact

There are no financial impacts arising from the strategic recommendations in this report.

The Recommended 2009 Operating Budget includes an allocation of \$500,000 in the non-program account to purchase green power for City Hall.

Implementation of the strategic recommendations contained in this report could have substantial financial implications and will be included in subsequent reports on specific initiatives to reach Council’s greenhouse gas reduction targets.

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

Summary

This report, which was prepared jointly by staff from the City and Toronto Hydro Corporation, makes recommendations which will help meet Council’s greenhouse gas (GHG) reduction targets as spelled out in the Climate Change, Clean Air and Sustainable Energy Action Plan, Phase I (CCCASE) for stationary energy, or energy used in buildings. GHG emissions from transportation, which is the other main source of emissions in Toronto, are being addressed by City Planning, Transportation Services, and the TTC. The Toronto Environment Office will continue to coordinate and report on the City’s overall GHG reduction efforts.

The report analyses the City’s current status in achieving the GHG reduction targets from 1990 levels, and outlines potential strategies and measures for reaching targets in 2012 (6%), 2020 (30%), and 2050 (80%). The strategy focuses on advancing electricity conservation and demand management (CDM) programs in Toronto which assist the Province in phasing out coal-fired electricity generation by 2014, followed by an emphasis on reducing emissions from natural gas. Concurrently, the City should continue to support and advance the longer-term development of renewable energy. Codes and standards should be tightened and enacted to ensure the use of market-ready sustainable energy measures. Market penetration of more

expensive sustainable energy technologies and measures should be stimulated with incentives and education programs.

The report stresses the need for improved coordination among the various agencies involved in the energy sector, in order to address Toronto's unique energy needs. Barriers to meeting Council's greenhouse gas targets are identified, and suggestions for overcoming those barriers are proposed.

Finally, the report contains specific recommendations which outline a strategy for meeting the target of purchasing 25% of the City's electricity from renewable sources.

Background Information

Toronto Sustainable Energy Plan

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16648.pdf>)

Appendix A - Summary of City's Sustainable Energy Policies

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16649.pdf>)

Appendix B - Barriers to Sustainable Energy

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16650.pdf>)

Appendix C - Green Power Sourcing Strategy

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16651.pdf>)

EX26.20	ACTION			Ward: All
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Toronto Bid for the 2009 Canadian Transportation Demand Management Summit

(October 27, 2008) Report from the Director, Toronto Environment Office

Recommendations

The Director of the Toronto Environment Office recommends that:

1. Council express its interest and desire, through the Toronto Environment Office, to act as the local co-hosts of the 2009 Canadian TDM Summit, in partnership with Metrolinx.

Financial Impact

The total financial impact resulting from these recommendations is \$25,000, which has been included in the 2009 Toronto Environment Office and City Planning Operating submissions in the amounts of \$20,000 and \$5,000 respectively.

The Canadian TDM Summit (the "Summit") is organized each year by the Association of Commuter Transportation of Canada (ACT Canada). ACT Canada is the administrative and legal lead on the Summit and, as such, the City will not bear any liability other than the commitment of funding of \$25,000 towards the conference.

The Acting Deputy City Manager and Chief Financial Officer have reviewed this report and concur with the financial impact statement.

Summary

This report seeks Council endorsement of Toronto as the co-host of the 2009 Canadian Transportation Demand Management (“TDM”) Summit.

Background Information

Toronto Bid for the 2009 Canadian Transportation Demand Management Summit
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16652.pdf>

EX26.21	ACTION			Ward: All
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Toronto Street Food Pilot

(October 22, 2008) Report from the Board of Health

Recommendations

The Board of Health recommended to the Executive Committee that:

1. Toronto Public Health, in consultation with Legal Services and Municipal Licensing and Standards Division, implement a one year pilot project with eligible existing street food vendors to expand their menu selection to include healthier food choices, as described in Attachment A of this report.
2. Toronto Public Health, in consultation with Legal Services and Municipal Licensing and Standards Divisions, implement a three year “Toronto a la Cart” pilot project as described in Attachment B of this report.
3. New fees for the processing of applications, issuance of endorsements and annual license fees for the use of Toronto a la Cart vending locations be approved as set out in Attachment C of this report.
4. The “Toronto a la Cart” logo shown on Attachment D be approved as the official mark for the Pilot and any subsequent “Toronto a la Cart” program and staff be authorized to take the necessary actions to secure the exclusive rights for the City to protect and use this logo.
5. City Council accept the proposal from Crown Verity, originally submitted in response to the Request for Expressions of Interest No. 0616-08-7021 and authorize the agreement with Crown Verity on the terms described in the body of this report and Attachment E, and other terms as may be satisfactory to the Medical Officer of Health and the City Solicitor.

6. Toronto Public Health oversee the implementation and administration of the pilot projects and, in consultation with the City Manager's Office, provide future governance recommendations as part of the project evaluation.
7. All revenues associated with the pilot projects be directed to Toronto Public Health to offset costs.
8. The Toronto Public Health 2009 Operating Budget request be increased by \$86,000 gross and \$0.0 net, and a staff increase of 1.0 temporary position, to reflect required funding for the implementation of the Toronto Street Food pilot projects.
9. Any year-end deficit resulting from the implementation of the Toronto a la Cart program be reported to the Budget Committee and funded from within Toronto Public Health's 2009 Operating Budget.
10. The Medical Officer of Health be delegated the authority for the term of the pilot project to make final decisions with respect to:
 - a. The processing of applications and issuance of endorsements to eligible existing street food vendors; and
 - b. The issuance of a request for applications document and award of agreements to selected Toronto a la Cart vendors,and City Council retain no authority to act with respect to such matters.
11. City Council adopt the Terms of Reference as set out in Attachment F to this report, as amended by the Board of Health, and establish a Street Food Pilot Appeal Committee, and delegate the authority to consider staff recommendations and make final decisions respecting any appeal of a notice to revoke a healthier food endorsement issued to an existing vendor or a notice to terminate a licence agreement with a Toronto a la Cart vendor for the term of the pilot project to the Board, and City Council retain no authority to act with respect to such matters.
12. Toronto Public Health be directed to further explore opportunities with food-related non-governmental organizations to test the feasibility of using street food vending to enhance their ability to achieve common goals and objectives and be directed to provide further pilot program details to the Board of Health at a later date.
13. The Medical Officer of Health, in consultation with the City Solicitor be authorized to report to the next Executive Committee respecting any necessary amendments to City by-laws and the Municipal Code as required to implement and regulate the operation of the pilot projects as proposed in this report.
14. The Medical Officer of Health provide recommendations on an annual basis, beginning in the fall of 2009, with respect to the status of the Toronto a la Cart pilot project.

Financial Impact

The resources required to implement these pilot projects in 2009 will be fully funded by incremental revenues. To offset project administration and operation costs, revenues are generated through application fees, endorsement fees from existing vendors and location fees from new vendors. 2009 revenues represent only a partial year for new vendors, and both 2009 and 2010 are expected to be revenue neutral. A temporary position will be required in 2009 to administer the pilot project. Detailed expenditures and revenues are included in the body of this report (see Overall Resource Requirements on page 13).

	2009
Expenditures	\$86,000
Revenues	\$86,000
Net Impact (Expenditures – Revenues)	\$0
Staffing (FTEs)	1

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

Summary

Changes to Regulation 562 of the Health Protection and Promotion Act in 2007 enable street food vendors to sell a wider variety of food items from street food vending carts. This report outlines a three stream approach to testing the impact of broadening healthier food choices available in the City from street food vendors to maximize the potential benefits from this regulatory change. The report requests authority to implement a 2009 pilot project to expand the menus of the existing street food vendors. It requests a spring 2009 pilot launch of the Toronto a la Cart program for new vendors at selected locations on City property to offer culturally diverse, nutritious menus. This report requests authority to enter into an agreement with the respondent of the previously released Request for Expressions of Interest for the production of food carts. It further outlines a future third opportunity to engage in partnerships with external food-related Non-Governmental Organizations to explore the use of street food vending to achieve common goals.

To ensure sufficient lead time for cart manufacturing and spring 2009 launch, City Council approval must be given by December 2008.

Background Information

Toronto Street Food Pilot

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16653.pdf>)

21a Toronto Street Food Pilot - Proposed By-law Amendments

(October 27, 2008) Report from the Medical Officer of Health

Recommendations

The Medical Officer of Health recommends that:

1. Authority be granted to the City Solicitor to submit the bills required to:
 - a. enact a new Municipal Code Chapter entitled “Healthier Street Food Choices” substantially in the form as set out in Attachment A to this report, subject to any technical or stylistic adjustments as may be required;
 - b. amend Chapter 441, Fees, to include new fees for the processing of applications, issuance of endorsements, removal and storage charges for cart seizures and annual license fees for the use of Toronto a la Cart vending locations as set out in Attachment B of this report, subject to any technical or stylistic adjustments as may be required; and
 - c. amend the following to permit the sale of a wider variety of street foods from carts operating as part of the City’s Toronto Street Food pilot programs:
 - i. Chapter 545, Licensing;
 - ii. By-law No. 18-97 of the former Borough of East York, “To establish removal zones and regulate vending on Borough roads”;
 - iii. Chapter 231, Streets and Sidewalks, of the Municipal Code of the former City of Etobicoke;
 - iv. By-law No. 32-95 of the former Municipality of Metropolitan Toronto, “To establish removal zones and regulate vending on Metro roads”;
 - v. By-law No. 32100 of the former City of North York, “Respecting vending on sidewalks and untravelled portions of roads of the City of North York”; and
 - vi. Chapter 315, Street Vending, of the Municipal Code of the former City of Toronto,
- all subject to any technical or stylistic adjustments as may be required.

Financial Impact

The financial impact of the recommended pilot program has been discussed in the joint report (October 17, 2008) of the Medical Officer of Health and Acting Director, Purchasing and Materials Management. There are no additional financial implications stemming from the adoption of the recommendations in this report.

Summary

This report requests authority to enact the required by-law amendments to implement the recommendations in the joint report (October 17, 2008) of the Medical Officer of Health and the Acting Director, Purchasing and Materials Management entitled “Toronto Street Food Pilot”. It is therefore recommended that a new Municipal Code Chapter entitled “Healthier Street Food Choices” be established. The implementation of this program also requires that minor amendments be made to include new fees under Chapter 441, Fees and Charges, and amend Chapter 545, Licensing, and the various City by-laws currently regulating street vending, in order to permit a wider variety of foods to be sold from carts operating as part of the City’s Toronto Street Food pilot programs.

To ensure sufficient lead time for a spring 2009 launch of the pilot programs, City Council approval of this proposed by-law regime must be given by December 2008.

Background Information

Toronto Street Food Pilot - Proposed By-law Amendments

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16654.pdf>)

Attachment A - Draft By-law - Municipal Code Chapter XXX, Healthier Street Food Choices

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16655.pdf>)

Attachment B - Proposed Fees

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16656.pdf>)

(Deferred from June 3, 2008 - 2008.EX21.3)

21b Toronto Street Food Pilot Implementation

(May 13, 2008) Report from the Deputy City Manager and the Acting Director Purchasing and Materials Management

Recommendations

The Deputy City Manager and the Acting Director of Purchasing and Material Management recommends that:

1. Council accept the proposal (dated February 29, 2008) from the consortium of JAF Co., Crown Verity and Equilease, submitted in response to the Request for Expressions of Interest No. 0616-08-7021 and authorize agreements with Crown Verity and Equilease Corp on the terms described in the body of this report and Attachment A, and such other terms as may be satisfactory to the Deputy City Manager and the City Solicitor;
2. The thirteen Pilot food vending cart locations described in the body of this report and in Attachment C be approved and, with consultation with Business Improvement Areas where the proposed location is in a BIA;
3. Staff be authorized to initiate a food vendor selection process substantially as described in the body of this report and select the food vendors;

4. Selected food vendors be assigned one of the locations shown on Attachment C and be subject to the location fees as described in the body of this report;
5. Selected food vendors be subject to the location permit, business licensing, inspection fees and other regulations described in the body of this report;
6. The regulations pertaining to the implementation and operation of the Pilot in the approved locations be approved substantially as described in this report (and including such other terms as may be satisfactory to the Deputy City Manager and the City Solicitor) and the City Solicitor draft and introduce any necessary amendments to City by-laws and the Municipal Code, including Municipal Code Chapter 545, Licensing, as required to implement and regulate the operation of the Pilot at the proposed locations; and
7. The “Toronto a la cart” logo shown on Attachment F be approved as the mark for the Pilot and any subsequent program and staff be authorized to take the necessary actions to secure the exclusive rights for the City to use this logo and Council express its appreciation to Tourism Toronto and Leo Burnett Company for their generous contribution in developing and designing the logo.

Financial Impact

In 2008 the cost to the City for the Pilot will be approximately \$1,000, resulting from the application for the Official Mark and the words “Toronto a la Cart”. The City has the potential to earn approximately \$60,000 annually, starting in 2009, from the location fees (rents) charged to selected food vendors during the Pilot.

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

Summary

This report is to address the steps taken to implement the Toronto Street Food Pilot (Pilot) project that is intended to introduce the sale of safe, healthy, nutritious and ethnically-diverse foods and to evaluate the commercial viability of an expanded program. The report includes the results of the Request for Expressions of Interest (REOI) directed by Council at its meeting of January 29 and 30, 2008, the investigation of partnership funding, the consultation process, and progress on the application for the official mark and related matters. It further requests authority to conduct the next steps, including conclusion of agreements with the Recommended Respondents, vendor selection, establishing an expert selection panel, approval and allocation of locations, institution of location fees (rents), and a schedule required to implement the Pilot, which would operate for a five year term. An evaluation of the Pilot would be conducted after a full year of operation.

Background Information

Toronto Street Food Pilot Implementation

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16657.pdf>)

Attachment C - Proposed Vendor Locations

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16658.pdf>)

Communications

(June 2, 2008) letter from James L. Robinson, Executive Director, Downtown Yonge Business Improvement Area (EX.Main.EX21.3)

EX26.22	ACTION			Ward: All
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Registration of Non-Profit Community Services

(October 21, 2008) Report from the Lobbyist Registrar

Recommendations

The Lobbyist Registrar recommends that:

1. The non-profit community services sector be exempted from the registry.
2. The City Solicitor be authorized to introduce the necessary Bill in Council amending Chapter 140 of the Toronto Municipal Code.

Financial Impact

These recommendations will have no financial impact.

Summary

In accordance with Council's resolution of July 15, 2008, the Lobbyist Registrar suspended the registry; consulted with the non-profit community services sector on difficulties arising in the registration process; and now reports back to the Executive Committee on whether the non-profit community services sector should be exempted from the registry, or means by which the registry can be amended to make the registration less onerous for this sector.

Background Information

Registration of Non-Profit Community Services
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16659.pdf>

EX26.23	Information			Ward: All
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2007 Development Charge Reserve Fund Statement

(October 27, 2008) Report from the Acting Deputy City Manager and Chief Financial Officer

Financial Impact

There are no financial Implications arising from this report.

Summary

This report provides a statement of the development charge reserve funds for the year ended December 31, 2007, as required by the *Development Charges Act, 1997*.

Background Information

2007 Development Charge Reserve Fund Statement

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16660.pdf>)

Attachments A1, A2 and B

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16661.pdf>)

(Deferred from October 6, 2008 - 2008.EX24.11)

EX26.24	ACTION	1:30 PM		Ward: 41
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Complaint Pursuant to Section 20 of the Development Charges Act, 1997 - 3700 Midland Avenue

(May 16, 2008) Report from the Deputy City Manager and Chief Financial Officer and Deputy City Manager Richard Butts

Recommendations

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

1. Council dismiss the complaint filed pursuant to Section 20 of the Development Charges Act, 1997 and deny the request for a development charge refund in the amount of \$386,986.01.

Financial Impact

This report recommends that the complaint be dismissed and the requested development charge refund be denied.

The complainant is seeking a development charge credit (refund) in the amount of \$386,986.01, as well as development charges credits for future development on the Kreadar Lands. Should Council agree that the complainant is entitled to a credit, the development charge by-law provides that the credit be the lesser of the cost of the works constructed or the development charge component related to these works. Accordingly, the applicant would only be entitled to a potential credit (refund) of \$68,870.40, being the lesser of the pro rated cost of construction of Silver Star Blvd. road and sewer works (estimated by Kreadar to cost \$955,336.17) and the road and sewer component of the development charges paid. In addition, a decision in favour of the complaint would result in further credits, estimated at potentially \$724,000, for the balance of the undeveloped Kreadar Lands.

Summary

The purpose of this report is to provide staff recommendations in response to a complaint filed pursuant to Section 20 of the Development Charges Act, 1997 (the "Act"). The complainant,

Kreadar Enterprises Ltd. (Kreadar), claims that it is entitled to development charge credits for the cost of constructing a portion of Silver Star Boulevard and related sanitary sewer works.

Staff have reviewed the complaint and recommend that the complaint be dismissed. The Act provides that a development charge credit can only be granted where there is an agreement between the municipality and the developer providing that a credit will be given in return for the construction of a development charge service. Since there is no such agreement between Kreadar and the City, Kreadar has no legal entitlement to a development charge credit.

Background Information

Complaint Pursuant to Section 20 of the Development Charges Act, 1997 - 3700 Midland Ave.

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16316.pdf>)

Development Charges Complaint Letter - Cassels Brock & Blackwell LLP

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16317.pdf>)

Communications

(August 28, 2008) letter from Mr. Stanley Makuch, Cassels, Brock & Blackwell LLP (EX.Supp.EX25.)

(October 3, 2008) letter from Mr. Stanley Makuch, Solicitor, Cassels Brock & Blackwell LLP (EX.New.EX25)

EX26.25	ACTION			Ward: All
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Removing the Restriction on Chairs of Community Councils and Special Committees Serving Consecutive Half-Terms

(October 27, 2008) Memo from Mayor David Miller

Recommendations

The Mayor recommends that:

1. City Council delete section 27-132(B) of the Council Procedures.

Summary

Communication (October 27, 2008) from Mayor David Miller recommending that the restriction on Chairs of Community Councils and Special Committees serving consecutive half-terms be removed from the Council Procedures.

Background Information

Removing the Restriction on Chairs of Community Councils & Special Committees Serving Consecutive Half-Terms

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16662.pdf>)

EX26.26	ACTION			Ward: All
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Standing Committee Involvement in Service Plan Development

(September 30, 2008) Letter from the City Clerk

Summary

City Council on September 24 and 25, 2008, during its consideration of Striking Committee Item 9.2, entitled “Proposed 2009 Schedule of Meetings”, adopted this Item as amended, and in so doing, referred the following motion to the Executive:

Moved by Councillor Shiner:

That the City Manager and the Acting Deputy City Manager/Chief Financial Officer be requested to provide an update to the next meeting of Council [pursuant to the decision of Council at its November 19 and 20, 2007 meeting (Motion M178) that the 2009 budget process include Standing Committee involvement in the service plan development] on the dates that Standing Committee meetings are scheduled to reflect their involvement in the 2010 service plan development.

Background Information

Standing Committee Involvement in Service Plan Development
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16663.pdf>

EX26.27	ACTION			
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City Council Endorsement of the One Cent Now Campaign

(September 30, 2008) Letter from the City Clerk

Summary

City Council on September 24 and 25, 2008, referred the Administrative Inquiry from Councillor Michael Walker (IA24.1) regarding Executive Committee EX23.23 Member Motion , entitled City Council Endorsement of the One Cent Now Campaign," and the Answer from Mayor David Miller (IA24.1a), to the Executive Committee.

Background Information

City Council Endorsement of the One Cent Now Campaign
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16664.pdf>

EX26.28	ACTION			
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Woodbine Slot Revenue Agreement

(September 30, 2008) Member Motion from Councillor Palacio, seconded by Councillor Moscoe

Recommendations

1. That Woodbine Entertainment Group and the City of Toronto approach OLG with a joint proposal to amend the City's agreement with OLG to increase the City's share of the slot revenues to 10 percent, irrespective of the number of slot machines.
2. That the City Manager report, in-closed session if necessary, to the October meeting of the Executive Committee on the status of the City of Toronto's efforts to alter the current slot machine revenue sharing arrangement, as well as how the current WoodbineLive! proposal can be effectively leveraged in any way to meet this City objective.

Financial Impact

Council also considered a Fiscal Impact Statement (September 23, 2008) from the Deputy City Manager and Chief Financial Officer.

Summary

The City of Toronto has an agreement with the Ontario Lottery and Gaming Corporation (OLG) to share in the net proceeds from the slot machine revenues at Woodbine Racetrack. The current agreement provides for revenue sharing on the basis of the number of slot machines: 5 percent for the first 450 machines and 2 percent for any balance over 450. The City's effective share of the revenues is 2.693 percent, given the number of machines at Woodbine based on the number of slot machines as at December 31, 2006.

At its meeting of January 29 and 30, 2008, Council adopted Executive Committee Item 16.7, headed "Revenue Sharing Fairness of Woodbine Slots", which recommended among other things that:

"The Mayor and staff negotiate a change in the Racetrack Municipality Contribution Agreement with the Ontario Lottery and Gaming Corporation with respect to revenue sharing with the objective of increasing the City's share to be the same as other non-government stakeholders, i.e., 10 percent of the Net Win as defined by the existing agreement; and that these negotiations take place on a political, as well as staff-to-staff level."

The Woodbine facility (racetrack and slot operations) is owned by Woodbine Entertainment Group and the slot operations are operated by OLG.

Background Information

Woodbine Slot Revenue Agreement

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16665.pdf>

EX26.29	ACTION			
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Creation of a Disaster Relief Reserve Fund

(September 30, 2008) Member Motion from Councillor Del Grande, seconded by Councillor Ford

Recommendations

1. That the City establish a “Disaster Reserve Fund”.
2. That a levy of \$1.00 be charged against all property tax bills, both residential and business, and the monies be allocated to this Reserve Fund.
3. That the City Manager be directed to provide a report, to be approved by Council, through the Executive Committee, on the terms of reference for the management and operation of said fund.

Financial Impact

Council also considered a Fiscal Impact Statement (September 22, 2008) from the Deputy City Manager and Chief Financial Officer.

Summary

The City needs to have a Disaster Relief Reserve Fund.

In a large City, many kinds of disasters and disruption to the City can occur through medical, fire, explosions and natural occurrences, such as flooding, industrial accidents and terrorism, to name a few.

Recently, the City has experienced two major disruptions in the lives of its citizens, such as the Secord Fire and the Sunrise Propane Explosion.

There have been some serious personal hardships that have resulted, where insurance was not adequate or where deductibles provided a hardship.

The City has demonstrated in the past that, for specific events like the Beaches sewage back up and the flooding in the northern part of the City, funds were made available through a reserve fund which has been depleted.

It is time that the City undertakes a more comprehensive policy approach.

Background Information

Creation of a Disaster Relief Reserve Fund

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16666.pdf>

EX26.30	ACTION			
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Report on Emergency Preparedness

(September 30, 2008) Member Motion from Councillor Del Grande, seconded by Councillor Ford

Recommendations

1. That City Council request the City Manager to submit a report to Council, through the Executive Committee, outlining an appraisal of how well our preparedness plan worked for the Sunrise Propane occurrence and what was learned from this episode, as well as any recommendations required to improve our Preparedness Plan.

Summary

The City budgets for Emergency Preparedness through Toronto Police Service/Emergency Services/Fire Services and other bodies, including other Provincial and Federal bodies.

We have a disaster emergency control centre which co-ordinates these activities.

We have had a major occurrence with Sunrise Propane

Background Information

Report on Emergency Preparedness
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16667.pdf>

EX26.31	ACTION			
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Report on Follow-up Procedures After a Disaster - the Second Fire and Sunrise Propane Explosion

(September 30, 2008) Member Motion from Councillor Del Grande, seconded by Councillor Ford

Recommendations

1. That City Council request the City Manager to submit a report to Council, through the Executive Committee, on the post-disaster recovery activity, its effectiveness, completeness and organizational framework, for the Second and Sunrise occurrences.

Summary

The City has experienced two major traumas on its citizens, namely the Second Fire and the Sunrise Propane Explosion.

The City has an Emergency Preparedness Plan but it is unclear whether that plan has a follow through after a disaster is addressed.

For example, in the Propane scenario what after help was provided? Was there a central co-ordinating activity to bring resources, both City and private/public, in a one-stop help format?

Background Information

Report on Follow-up Procedures After a Disaster - the Secord Fire and Sunrise Propane Explosion

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16668.pdf>)

EX26.32	ACTION			
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Request to the Provincial and the Federal Governments for Resident Relief Disaster Assistance for the Sunrise Propane Disaster

(September 30, 2008) Member Motion from Councillor Del Grande, seconded by Councillor Ford

Recommendations

1. That City Council formally request both the Federal and Provincial Governments to provide disaster relief funding for Toronto, to help the City assist its residents affected by this national and world event, the Sunrise Propane Disaster.

Summary

Both the Provincial and Federal Governments have provided relief for disasters that have occurred here and abroad.

One such recent example was the massive flooding in Peterborough where Provincial and Federal help was provided.

Toronto has had its share as well, with costs on such occurrences as storm flooding exceeding those of Peterborough. Toronto is continually ignored by the other levels of government when our disasters are comparable.

This Motion formally asks for disaster relief for the City and its residents, surrounding the Sunrise Propane Disaster.

Background Information

Request to the Provincial and the Federal Governments for Resident Relief Disaster Assistance for the Sunrise Propane Disaster

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16669.pdf>)

EX26.33	ACTION			
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Requesting a Public Inquiry Surrounding the Circumstances of the Sunrise Propane Explosion

(September 30, 2008) Member Motion from Councillor Del Grande, seconded by Councillor Ford

Recommendations

1. That the citizens of Toronto, through their elected representatives of the City of Toronto, request the Province of Ontario to conduct a formal Public Inquiry surrounding the circumstances of the Sunrise Propane Explosion.

Summary

The Sunrise Propane Explosion revealed a number of shortcomings.

Initially, there was a lot of finger pointing as to who was responsible for allowing this facility to operate.

In the past, the pre-amalgamated Cities of York and Toronto undertook to legislate propane facilities, but were challenged by the industry with the support of the Provincial Government.

The Provincial Government is responsible for safety issues through the Technical Standards and Safety Authority and we are now finding out all types of new information which indicate significant shortcomings of this Provincial body.

All orders of Government are responsible for good government and the protection of its citizens.

Clearly this has not happened and there are more questions than answers.

Background Information

Requesting a Public Inquiry Surrounding the Circumstances of the Sunrise Propane Explosion (<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16670.pdf>)

EX26.34	ACTION			
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Community Recommendations - Downsview Explosion and Blast

(October 2, 2008) Letter from Councillor Maria Augimeri

Recommendations

It is recommended that the City Manager, in consultation with the appropriate City Divisions, review the following community recommendations with respect to the Downsview explosion and blast and report back:

1. That the Provincial Government make the posting of sizeable performance bonds mandatory for companies who wish to operate propane facilities.
2. That the Provincial Government permit Toronto Fire Services to oversee the immediate inspection of the City's propane facilities.
3. That the practice of Cylinder exchanges being left out of the recent public disclosure be stopped immediately.
4. That the Provincial Government immediately take over the Technical Standards and Safety Authority (TSSA) and bring it in-house with the appropriate legislative oversight and accountability.
4. That the standards for propane handlers be reinstated to original levels.
5. That the Provincial Government entitle its citizens to know what types of chemicals and potentially hazardous gases are being used and/or housed in their communities.
6. That the Provincial Government permit local municipalities to govern the types of uses in industrial areas and that local municipalities be permitted to limit these uses when incompatible with nearby residential areas.

Summary

Letter (October 2, 2008) from Councillor Maria Augimeri, forwarding community recommendations with respect to the Downsview Explosion and Blast.

Background Information

Downsview Explosion and Blast

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16671.pdf>

EX26.35	ACTION			Ward: All
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Petition Provincial Government to Transfer One Percent of Provincial Sales Tax (PST) to Ontario's Municipalities

(September 30, 2008) Member Motion from Councillor Walker, seconded by Councillor Ootes

Recommendations

1. That City Council petition the Province of Ontario to transfer the equivalent of 1 percent of the 8 percent Provincial Sales Tax (PST) to Ontario's municipalities (proportionally based on population) and such annual funding be made permanent via amendments to current legislation.
2. That City Council direct the City Clerk to forward this Resolution to the Federation of Canadian Municipalities (FCM), Association of Municipalities of Ontario (AMO) and

all municipalities in Ontario for their endorsement.

Summary

The Federal sales tax, or Goods and Services Tax (GST), rate is 5 percent. The GST has been reduced from 7 percent over the last two years by the Federal Government.

Over the past few years, there has been discussion and a public campaign for Canada's major cities to acquire one percent of the GST, in order to rectify some of the inequalities in the historical imbalance in revenue and funding flow to and from Canada's major cities and the Federal Government. In the City of Toronto's case, billions of taxpayer dollars flow out of our City into the Federal Government's coffers which are not reinvested in our City. In effect, Cities like Toronto enable the Federal Government to report billion-dollar surpluses every year because it does not reinvest in our major cities at the rate it should.

The Provincial sales tax (PST), or Ontario Retail Sales Tax (ORST), rate is 8 percent. The PST rate has never been reduced.

In fiscal year 2007-2008, the Provincial government collected \$16.9 billion in PST revenue. PST revenues have increased by 60 percent in the last decade.

Similar to the revenue/funding imbalance between the Federal Government and the City of Toronto, a parallel imbalance exists between the Provincial Government and the City of Toronto. There is a multi-billion-dollar deficit between the amount of taxes the City of Toronto taxpayers pay out to the Provincial Government and how much funding comes back as reliable and permanent income to the City. In effect, Cities like Toronto enable the Provincial Government to report billion-dollar surpluses every year because it does not reinvest in Ontario's major cities at the rate it should.

Strangely, there is not a discussion or campaign from Ontario's major cities to acquire 1 percent of the 8 percent PST in order to address the historical inequity and urgent requirements for reliable and permanent funding. If Ontario's major cities were given 1 percent of the 8 percent PST, this would supply a city like Toronto with the permanent, reliable funding we need to properly plan our long-term financial future. The viability and the sustainability of the City of Toronto and other cities in Ontario depend on such reliable and permanent funding. Our infrastructure deficit (i.e. bridges, roads, transit and waterfront) and City building initiatives (i.e., housing and environmental protection) require funding to be guaranteed every year – not hoped for each year. The Provincial social services and decrepit housing portfolios that were downloaded a decade ago have not yet been formally uploaded back to the Province and are not likely to be in the foreseeable future, as Premier McGuinty announced on August 25, 2008, at the Association of Municipalities of Ontario (AMO) annual meeting another postponement in uploading and funding of responsibilities to the Province of Ontario. The City of Toronto requires stable funding to address the increasing cost of these downloaded Provincial responsibilities as well.

This stable funding could come in the form of a legislative change in the calculation and distribution of the PST revenue in Ontario. Ontario's municipalities need access to 1 percent of the 8 percent PST. We, as Torontonians and Ontarians, need to start this discussion to make this happen.

Background Information

Petition Provincial Government to Transfer One Percent of Provincial Sales Tax (PST) to Ontario's Municipalities

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16672.pdf>)

EX26.36	ACTION			Ward: All
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To Discontinue the Practice of Providing Confidential Information to Members of Council

(September 30, 2008) Member Motion from Councillor Moscoe, seconded by Councillor Jenkins

Recommendations

1. That City Council instruct the City Clerk to immediately end the practice of providing confidential information to Members of Council, Committees of Council and the Council in general.
2. That the use of purple paper be prohibited at City Hall.
3. That decisions that require the consideration of confidential information be delegated to staff and, where permissible, be documented in the Minutes of Council.
4. That prior to the close of each Council meeting, Council enact a "rubber stamp" By-law that will automatically adopt those confidential recommendations that Council has delegated to staff.
5. That, in future, confidential information that is required to be conveyed at the staff level be passed from person to person verbally, preferably in whispered tones.

Summary

The Privacy Commissioner for the Province of Ontario has expressed the opinion that Members of Council are not considered to be officers of the Corporation of the City of Toronto and, as such, are not to be trusted with confidential information.

In the regular course of business, the City of Toronto currently provides confidential documents attached to City reports to Members of Council. These are provided on purple paper and are designed to assist Councillors to better do their jobs. In fact, this year to date, the Clerk's Office has used 108,200 sheets of purple paper for printing confidential reports for Council and Committee meetings.

If we are to accept Madam Cavoukian's determination that Members of Council are not to be trusted with confidential information, we then have an obligation to immediately cease the practice of providing confidential information to Members of Council.

Background Information

To Discontinue the Practice of Providing Confidential Information to Members of Council
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16673.pdf>

EX26.37	ACTION			Ward: All
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Evaluating and Mitigating Impacts of Property Assessments Following the Lift of the 2 year Freeze

(September 30, 2008) Member Motion from Councillor Fletcher, seconded by Councillor Davis

Recommendations

1. That City Council direct the City Manager to report to the Executive Committee on the expected increases to property tax assessments after the freeze has been lifted, outlining the following:
 - a. the anticipated impact that the lifting of the two-year freeze will have on assessments and property taxes;
 - b. the status of implementation of the 22 recommendations made by the Ombudsman in "Get it Right";
 - c. actions that the City can take and resources available to assist residents in appealing their assessments; and
 - d. further actions that the City can take and resources available to assist residents in mitigating the impact of the assessments, particularly in the areas most affected.

Summary

In the beginning of 2006, Ontario Ombudsman André Marin released a scathing report, called "Get it Right", on the Municipal Property Assessment Corporation (MPAC) and the entire system of property assessment and appeals. The Ombudsman outlined how "never in the 30 year history of (the Ombudsman) office have so many complaints been received in so short a period about a single public agency". Subsequent to his finding, the Ombudsman issued 22 recommendations to overhaul the current assessment and appeals system.

This report was well received by the City of Toronto, who had been arguing for some time that the property tax assessment had been creating numerous problems for the City and residents. In late June of 2006, City Council passed a motion endorsing the 22 recommendations and requesting that MPAC consult the City prior to the implementation of any of the recommendations.

Just following this, the Ontario Liberal government announced the cancellation of property tax reassessments for 2006 and 2007. This two year 'freeze' was supposed to have given MPAC time to review and implement the recommendations made by the Ombudsman.

At the time, much concern was expressed around the impact that the freeze would have on property taxes have once it was lifted. Two years after "Get it Right" the anxiety over the impact of the freeze remains (particularly in older, established neighbourhoods) while the extent to which the system has been changed to reflect the widespread concerns of Ontario residents remains uncertain.

Background Information

Evaluating and Mitigating Impacts of Property Assessments Following the Lift of the 2 year Freeze

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16674.pdf>)

EX26.38	ACTION			
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Review of Organizational Vacation Practices of the Mayor and Deputy Mayor

(September 30, 2008) Member Motion from Councillor Del Grande, seconded by Councillor Ford

Recommendations

1. That both the Mayor and Deputy Mayor be cognizant that vacations need to be co-ordinated and that they provide a commitment to Council and the people of Toronto that this practice will be improved.

Summary

In any organization, vacations and vacation planning are the hallmarks of good organizational structure and practices. It should be no different in the public sector, including Toronto City Hall.

The Sunrise Propane experience had many Torontonians asking who is in charge.

The Mayor in his mandate chooses a Deputy Mayor to represent him when he is unavailable to represent himself.

The Mayor is the representative face of Toronto and his Deputy Mayor is the second representative face of Toronto.

Both the Mayor and Deputy Mayor took vacations at the same time which has shown is not a best practice model.

Background Information

Review of Organizational Vacation Practices of the Mayor and Deputy Mayor

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16675.pdf>)

EX26.39	ACTION			
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Requesting a Ban of Water Bottle Sales on City Property

(September 30, 2008) Member Motion from Councillor Del Grande, seconded by Councillor Di Giorgio

Recommendations

1. That the City of Toronto ban water bottle sales on City Property.
2. That the City undertake, with Parks and Recreation, Facility Services and Waste/Water Divisions, to provide improvements and availability of tap water.
3. That the ban occur where the City improves its tap water availability.

Summary

The City is trying to be a leader in the green movement.

Bottled water is seen as an unnecessary product that produces a significant amount of waste.

The City has already passed a motion that bottled water should not be used in Council and Committee meetings, as well as other City meetings.

Toronto's Municipal water system is constantly inspected and tested and the water is of high quality, which means there is no need to waste resources shipping bottles to consumers in Toronto.

London, Ontario is moving in this direction as well as other Cities like, Kitchener, Charlottetown, St. John's, Vancouver, Nelson, B.C., as well as the Ottawa and Toronto Public School Boards.

Background Information

Requesting a Ban of Water Bottle Sales on City Property
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16676.pdf>

Communications

(October 29, 2008) e-mail from Joe Cressy, Polaris Institute (EX.Main.EX26.39.1)

EX26.40	ACTION			Ward: 25
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The Aphasia Institute, 75 Scarsdale Road - Grant Request

(October 10, 2008) Member Motion from from Councillor Jenkins

Recommendations

1. That the City of Toronto recognize the valuable and unique service provided by the Aphasia Institute and other such organizations to the citizens of Toronto;
2. That Council approve a one-time grant to the Aphasia Institute equivalent to the property tax rebate the Aphasia Institute would have received for the 2007 taxation year (estimated value of \$19,785), provided that the requirements identified under Section 3 (a) and (b) below are met;
3. That Council approve a grant program to provide grants to offset property taxes in the following circumstances to registered charities:
 - a. the registered charity has submitted an application form for a property tax rebate under the City's Property Tax Rebate Program for Registered Charities (the "Rebate Program") after the deadline of the last day of February of the year following the year in respect of which the application is made but prior to the end of that same calendar year (December 31st);
 - b. but for the lateness of the Application, the registered charity is otherwise eligible for a tax rebate under the Rebate Program;
 - c. a registered charity is eligible for a grant under this grant program on a one-time and a one-taxation-year only basis, so that any registered charity who receives such a grant in respect of a taxation year is no longer eligible to receive additional grants under this grant program;
 - d. all such grants be deemed to be in the interests of the City; and
 - e. authority be delegated to the Director of Revenue Services to administer this grant program and to issue grants to eligible charities; and
 - f. grants provided under this program be funded from the non-program tax deficiency account.
4. a. The Province of Ontario be requested to:
 - i. share in the grants recommended by Recommendations 2 and 3 on the same basis as it shares in property tax rebates under the Rebate Program; and
 - ii. amend the *City of Toronto Act, 2006* (the "Act") so as to permit the City to set its own application deadlines for tax and rebate programs it administers; and
 - iii. amend Ontario Regulation 121/07 (the "Regulation") to allow grants recommended by Recommendations 2 and 3 to be deemed to be rebates made under section 329 of the Act (the Rebate Program) for the purposes of sections 8 and 9 of the Regulation.

- b. The Province of Ontario be advised that unless it advises otherwise, the City will assume that the Province concurs with Recommendation 4(a)(i) and is prepared to share in the grants recommended by Recommendation 2 and 3 in respect of the education taxes, and that the City will deduct all such grants in respect of education taxes from education tax remittances.

Summary

Aphasia is an acquired disorder caused by an injury to the brain that affects a person's ability to communicate. It is most often the result of stroke or head injury.

The Aphasia Institute is an internationally recognized Canadian resource that works in partnership with communities and others to break down language barriers, build communication ramps and rebuild lives for those affected by aphasia.

The organization's vision statement reads: "To awaken hope and inspiration for all individuals and families affected by aphasia, through service, education and research."

For over twenty five years, the Aphasia Institute has anticipated and adapted to the needs of people affected by aphasia and the community at large -- spearheading new initiatives to support those affected by aphasia.

To support this important function, the Aphasia Institute relies on funding, fundraising, but also heavily relies on the City's Property Tax Rebate Program for Registered Charities (the "Rebate Program"). The deadline to apply for the Rebate Program is legislated by the Province of Ontario through section 329 (3) (7) of the *City of Toronto Act, 2006* as "no later than the last day of February of the following year".

Unfortunately, because of circumstances beyond their control, the Institute missed the application deadline for the 2007 taxation year.

For this Charitable Organization, missing this deadline means a revenue shortfall of \$19,784.80 (40% of total 2007 property taxes – municipal share is \$11,464.80 and education share is \$8,320.00). This will have a profound impact on their ability to provide services. People with aphasia face severe communication challenges and without support are often not able to access activities that most of us take for granted. The current funding base does not cover all that the Aphasia Institute tries to deliver and staff work extremely hard for every extra dollar in order to ensure that they never have to turn people away.

It should be noted that, like this organization, other charitable organizations may similarly miss the deadline to apply for a tax rebate under the Rebate Program due to extenuating circumstances. They too are faced with the similar challenge of managing operations with unexpected funding shortfall in any given year.

Background Information

The Aphasia Institute, 75 Scarsdale Road - Grant Request
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16677.pdf>)

EX26.41	ACTION			Ward: All
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Occupational Health and Safety Report - Second Quarter, 2008

(September 29, 2008) Report from the Employee and Labour Relations Committee

Recommendations

It is recommended that:

1. the Occupational Health & Safety Report, Second Quarter 2008, be forwarded to City Council.

Financial Impact

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

Summary

This report provides information on the status of the City's health and safety system, specifically on activities, priorities and performance during the first two quarters of 2008. There was a decrease of 9.5% in the number of lost time injuries relative to the same period in 2007. Information is provided where there have been significant changes in accident experience and costs within divisions, as well as specific actions being taken to improve health and safety performance.

New information about the Ministry of Labour's *Safe at Work Ontario* strategy is provided.

Background Information

Occupational Health and Safety Report - Second Quarter, 2008

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16678.pdf>)

Appendix A - WSIB Claims Data, by Division (January - June)

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16679.pdf>)

Appendix B - LTI Frequency (Up to End of Second Quarter)

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16680.pdf>)

Appendix C - Summary of WSIB Costs for all Firm Numbers

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16681.pdf>)

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

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16682.pdf>)

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

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16683.pdf>)

EX26.42	ACTION			Ward: All
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Public Health Nursing Leadership Initiatives

(October 24, 2008) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council increase Toronto Public Health's 2008 Council Approved Operating Budget by \$60,000 gross and \$0.0 net to reflect 100% funding received from St. Elizabeth Health Care for Nursing Leadership Development Initiatives.
2. City Council authorize the Medical Officer of Health to send two Toronto Public Health staff to the Dorothy M. Wylie Nursing Leadership Institute and two Toronto Public Health staff to the Health Leaders Institute in Toronto for leadership development training at a cost of up to \$3,900 per employee at a total cost of up to \$15,600.

Financial Impact

A budget adjustment of \$60,000 gross and \$0.0 net to Toronto Public Health's 2008 Approved Operating Budget is required to reflect the confirmed one-time funding from St. Elizabeth Health Care for Leadership Development Initiatives. These funds will be reversed in the 2009 operating budget.

The cost of the leadership development training for four Toronto Public Health management staff at the Dorothy M. Wylie Nursing Leadership Institute and the Health Leaders Institute in the amount of up to \$15,600 will be funded 100% from the Nursing Leadership Development Initiatives.

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

Summary

The purpose of this report is to secure Council approval to increase Toronto Public Health's 2008 Operating Budget to reflect funding of \$60,000 from St. Elizabeth Health Care for nursing leadership development initiatives and obtain authorization for four management staff to attend a leadership development training at a cost of up to \$3,900 each for a total cost of \$15,600 to be funded 100% from the nursing leadership development initiatives.

Toronto Public Health is collaborating with St. Elizabeth Health Care and Women's College Hospital on an innovative project to create and sustain nursing leadership throughout the health care system through effective succession planning strategies.

St. Elizabeth Health Care, on behalf of the project received \$300,000 from the Ministry of Health, Healthforce Ontario. Of this amount, Toronto Public Health received \$60,000 for nursing leadership development initiatives. Healthforce Ontario is the province's strategy to ensure that Ontarians have access to the right number and mix of qualified healthcare providers, now and in the future.

The leadership development training is for two Toronto Public Health managers at the Dorothy M. Wylie Leadership Institute and two Toronto Public Health managers at the Health Care Leaders Institute amounting to approximately \$15,600 that will be funded 100% from the \$60,000 received from St. Elizabeth Health Care.

Background Information

Public Health Nursing Leadership Initiatives

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16684.pdf>)

EX26.43	ACTION			Ward: All
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Toronto Public Health 2008 Operating Budget Adjustment (Funding from the Ministry of Health Promotion)

(October 24, 2008) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve increasing the Toronto Public Health 2008 base Operating Budget by \$115.0 thousand gross and \$0.0 net, and a staff increase of 1.0 permanent position, to reflect confirmed funding from the Ministry of Health Promotion.

Financial Impact

In 2005 the Ministry of Health and Long-Term Care (MOHLTC) introduced 100% funding to support tobacco control programs in public health units across the province. Existing tobacco inspection and enforcement activities which were previously cost shared are now 100% provincially funded under the Smoke-Free Ontario (SFO) Strategy, administered by the Ministry of Health Promotion (MHP). Recently, additional 100% funding for new tobacco prevention activities has been provided.

A budget adjustment of \$115.0 thousand gross and \$0.0 thousand net is required to reflect confirmed base funding from the Ministry of Health Promotion in the Toronto Public Health 2008 Operating Budget, for the Smoke Free Ontario program. The funding will be used to establish an Aboriginal youth cluster in the Youth Action Alliance area. This will involve the hiring of one permanent full-time Youth Advisor and recruiting up to ten Aboriginal youth peer leaders.

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

Summary

The purpose of this report is to request a budget adjustment to Toronto Public Health's (TPH) 2008 Operating Budget due to confirmation of additional base funding from the Ministry of Health Promotion.

Background Information

Toronto Public Health 2008 Operating Budget Adjustment (Funding from the Ministry of Health Promotion)

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16685.pdf>)

EX26.44	ACTION			Ward: All
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Toronto Public Health 2008 Operating Budget Adjustments (Funding from the Ministries of Health and Long Term Care and Children and Youth Services)

(October 24, 2008) Report from the Budget Committee

Recommendations

The Budget Committee recommends that:

1. City Council approve increasing the Toronto Public Health 2008 Operating Budget by \$740.0 thousand gross and \$0.0 net, and a staff increase of 2 permanent and 28 temporary positions, to reflect confirmed funding from the Ministries of Health and Long-Term Care and Children and Youth Services.

Financial Impact

The table below reflects the budget adjustments required resulting from the confirmation of 2008 funds from the Ministries of Health and Long-Term Care and Children and Youth Services.

Table 1

Toronto Public Health – Confirmed Funding for 2008/2009 (\$000)							
Program	2008 Financial Impact Incr. / (Decr.)			2009 Financial Impact Incr. / (Decr.)			Comments
	Positions	Gross	Net	Positions	Gross	Net	
Nursing Graduate Guarantee Initiative	25.0	556.4	0	(25.0)	(235.0)	0	One-time funding to be completed in April 2009
Preschool Speech & Language	3.0	219.0	0		(140.0)	0	Base funding increase of \$79 thousand and one-time funding of \$140 thousand
Infant Hearing	1.0	(85.4)	0		0.0	0	Base Funding increase of \$39.6 thousand and reversal of 2007 one-time funding of \$125.0 thousand
Healthy Babies / Healthy Children	1.0	50.0	0		50.0	0	Base Funding increase
Total – Budget Adjustments	30.0	740.0	0		(325.0)	0	

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

Summary

The purpose of this report is to request budget adjustments to Toronto Public Health's (TPH) 2008 Operating Budget due to confirmation of funding from two Provincial ministries.

Background Information

Toronto Public Health 2008 Operating Budget Adjustments (Funding from the Ministries of Health and Long-Term Care and Children and Youth Services)

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16686.pdf>

September 16, 2008 letter to the Board of Health from the Board of Health Budget Sub-Committee

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16687.pdf>)

EX26.45	ACTION			Ward: 11
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Transfer of Funds from the Eglinton Flats Reserve Fund (XR3204)

(October 24, 2008) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council grant authority to the appropriate City officials to apply \$22,500 from the Eglinton Flats Reserve Fund (XR3204) to the Parks, Forestry and Recreation Division's operating budget to allow for the payment to Tennex Systems Inc. for the resurfacing of the six north quadrant tennis courts at Eglinton Flats Park.
2. City Council increase the Parks, Forestry and Recreation 2008 Operating Budget by \$22,500 gross, 0 net, fully funded from the Eglinton Flats Reserve Fund (XR3204), with a corresponding reversal in 2009, for this is a one time occurrence.

Financial Impact

The funds for this purpose are currently held in the Eglinton Flats Reserve Fund (XR3204). The reserve fund balance is currently \$22,500 with annual contributions from First Service Tennis Management of \$7,500 per year.

A 2008 in-year operating budget adjustment is required to access the reserve funds and pay for the vendor for resurfacing. A net-zero budget adjustment will be required to increase Parks, Forestry and Recreation's Gross 2008 Operating Budget expenditures by \$22,500 funded from the Reserve Fund. This 2008 in year adjustment will be reversed in 2009.

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

Summary

Parks, Forestry and Recreation ("PFR") has a reserve fund in place that is dedicated by agreement to aggregate an annual fixed amount from the Eglinton Flats Winter Tennis operation. The purpose of the reserve fund is for resurfacing of tennis courts and other tennis related state of good repair works.

Authority is being requested to transfer \$22,500 from the Eglinton Flats Reserve Fund (XR3204) to the PFR Division's operating funds to pay for resurfacing of six tennis courts at Eglinton Flats Park.

Background Information

Transfer of Funds from the Eglinton Flats Reserve Fund (XR3204)
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16688.pdf>

EX26.46	ACTION	3:30 PM		Ward: All
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Establishment of a Reserve Fund for the Purpose of Funding a Seniors' Exchange Program Between Toronto, Ontario and Paris, France

(October 24, 2008) Report from the Budget Committee

Recommendations

That the Executive Committee give consideration to the report (October 20, 2008) from the Acting Deputy City Manager and Chief Financial Officer, entitled “Establishment of a Reserve Fund for the Purpose of Funding a Senior's Exchange Program between Toronto, Ontario and Paris, France”, which was forwarded to the Executive Committee without recommendation, by the Budget Committee.

Financial Impact

There is no financial impact as a result of this report.

Summary

Letter (October 24, 2008) from the Budget Committee advising that the Budget Committee on October 24, 2008, considered the following:

- i. Report (October 20, 2008) from the Acting Deputy City Manager and Chief Financial Officer, entitled “Establishment of a Reserve Fund for the Purpose of Funding a Seniors' Exchange Program between Toronto, Ontario and Paris, France”.
- ii. Letter (October 23, 2008) from Councillor Adam Giambrone, Ward 18 Davenport.

Background Information

Establishment of a Reserve Fund for the Purpose of Funding a Seniors' Exchange Program between Toronto, Ontario and Paris, France

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16691.pdf>

Letter (October 23, 2008) from Councillor Adam Giambrone

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16692.pdf>

EX26.47	ACTION			Ward: All
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2009 Federal Homelessness Funding: Authority to Negotiate a New Federal Agreement and Manage the Transition to the New Program

(October 24, 2008) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. Consistent with the position of the Federation of Canadian Municipalities, Toronto City Council request the incoming federal government, on an urgent basis, to maintain existing levels of federal homelessness funding beyond March 2009 as a bridge to a long-term national housing strategy that is ongoing, sustainable and indexed to the cost of living, and that includes a clear commitment to end homelessness.
2. The General Manager, Shelter, Support and Housing Administration, in consultation with the City Solicitor, be authorized to enter into a contribution agreement with Service Canada or related entity for funding under a renewal of the Homelessness Partnering Strategy, or any new federal homelessness funding program.
3. The General Manager, Shelter, Support and Housing Administration, be authorized to undertake appropriate measures to develop funding priorities for any renewal of the Homelessness Partnering Strategy, or other similar federal funding program, including seeking input from community consultation, and bring forward the funding priorities for approval by Council.
4. Once the contribution agreement with Service Canada or related entity is in place, the General Manager, Shelter, Support and Housing Administration, be authorized to enter into agreements with other City divisions, project sponsor agencies, and/or private expertise to deliver projects in line with the terms and conditions of the federal agreement, other than new housing development projects, which will be approved through the Affordable Housing Committee and Council.
5. Based upon a finalized contribution agreement with Service Canada or related entity, the General Manager, Shelter, Support and Housing Administration, be authorized to undertake appropriate measures to establish sound budgetary priorities, adjust funding among programs as required to ensure effective use of available federal funds, and seek and draw upon input from community consultation, new Council directions/priorities, or other circumstances as might occur in the future, requiring expenditure adjustments.
6. Any project currently funded under the Homelessness Partnership Strategy that is not completed by March 31, 2009 be approved as a priority for funding under any new funding contract entered into under Recommendation 2.
7. In the event that the current Homelessness Partnering Strategy is not extended beyond March 31, 2009 by the last day of the City Council meeting in March 2009, the General Manager, Shelter, Support and Housing Administration, be authorized to fund existing HPS service-related projects delivered by community agencies, as outlined in Appendix B, as well as costs for administration for the three-month period April 1 through June 30, 2009, at a cost of up to \$2.9 million from the Social Housing Stabilization Reserve Fund.
8. If the Social Housing Stabilization Reserve Fund is used as set out in Recommendation 7, the General Manager, Shelter, Support and Housing Administration, seek

reimbursement for this expenditure from the federal government, as part of a renewed Homelessness Partnering Strategy, new homelessness funding arrangements, or other appropriate federal funding programs, with all recovered funds to be returned to source.

9. The General Manager, Shelter, Support and Housing Administration, report directly to Council on any further implications relating to the renewal of the Homelessness Partnering Strategy or the establishment of any new federal homelessness funding program, as required.
10. In the event that the current Homelessness Partnership Strategy funding is extended beyond March 31, 2009, the General Manager, Shelter, Support and Housing Administration, be authorized to approve allocations of any unexpended HPS funding to projects and initiatives that are in line with the objectives of the HPS Community Plan, and to enter into any necessary agreements to give effect thereto.
11. The General Manager, Shelter, Support and Housing Administration, report to Budget Committee prior to March 31, 2009 on the financial implications of any renewal of the Homelessness Partnering Strategy or the initiation of any new federal homelessness funding program, upon receiving further information regarding the intentions of the incoming federal government relating to homelessness funding.

Financial Impact

Entering into a contribution agreement with the federal government to administer the renewed Homelessness Partnering Strategy allocation, or other federal homelessness funding, will have an impact on the 2009 budget. The impact will depend on the amount of the (as yet unknown) allocation and the date when the contract with the federal government is signed, as that will dictate how much time remains in 2009 to expend the funds. If the City's allocation is similar to previous years, an amount of approximately \$17 million annually is anticipated.

It is anticipated that all eligible HPS or other homelessness funding program expenditures would be reimbursed by the federal government at 100%, on a claims basis. Once the allocation and details are known and the contract is in place, the General Manager, Shelter, Support and Housing Administration, will report to Budget Committee on the financial implications, including impacts on the 2009 Capital and Operating Budgets.

If the HPS program is extended in a timely fashion beyond March 31, 2009, the draw of \$2.9 million from the Social Housing Stabilization Reserve Fund will not be required to maintain the projects from April 1 to June 30, 2009. If the program is extended, or other funding is put in place, all approved expenditures will be funded via the new contribution agreement and continue for the remainder of 2009.

If the funding provision of Recommendation 7 is implemented due to delay in the finalization of a new federal funding agreement, the funds of up to \$2.9 million drawn from the Social Housing Stabilization Reserve Fund will be returned to source upon confirmation of renewed funding through HPS or any new federal homelessness funding program.

The projected 2008 year-end balance in the Social Housing Stabilization Reserve Fund is \$3.157 million. The \$2.9 million potential draw on the reserve will result in an operating

budget pressure in the Shelter, Support and Housing Administration Operating Budget (if HPS program is not extended) as base pressures are funded from the Social Housing Reserves.

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

Summary

The purpose of this report is to:

- highlight key outcomes from the current Homelessness Partnering Strategy (HPS) funding during the period April 1, 2007 to March 31, 2009;
- provide a plan for the funding of current HPS projects for the period April 1 to June 30, 2009, in the event that new federal funding is not in place by March 31, 2009; and
- seek authority for the General Manager, Shelter, Support and Housing Administration, to enter into a new contribution agreement with the federal government based on an anticipated extension to, or a replacement of, current Homelessness Partnering Strategy funding.

The current federal homelessness funding through the Homelessness Partnering Strategy ends March 31, 2009. The future of federal homelessness funding remains uncertain. This report outlines a plan to ensure that all contingencies regarding the funding of services for people who are homeless are anticipated and provided for.

This report is similar in its objectives to one approved by Council in March 2007, granting the General Manager, Shelter, Support and Housing Administration, authority to negotiate a contribution agreement under the then newly-announced HPS, and providing for transitional arrangements if the federal agreement was not executed in time to avoid interruption of community agency funding. In that situation, the federal agreement was executed in a timely manner and no funding was required.

Background Information

2009 Federal Homelessness Funding: Authority to Negotiate a New Federal Agreement and Manage the Transition to the New Program

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16693.pdf>)

EX26.48	ACTION			Ward: All
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Additional Funding for Child Care and Ongoing Funding Reserves

(October 24, 2008) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve an amendment to the Children's Services 2008 Approved Operating Budget to include an additional \$6.002 million in revenues received as Toronto's share of a provincial \$25 million child care investment for additional fee subsidies and French-language child care spaces; and these revenues be offset by a reduction in the 2008 budgeted withdrawal from the Child Care Expansion Reserve Fund (CCERF) of \$6.002 million.

Financial Impact

Prior to this funding announcement, Children's Services 2008 Approved Operating Budget included a draw from the Child Care Expansion Reserve Fund (CCERF) of \$8.7 million to maintain the Council approved service levels including 24,000 subsidy spaces. It is recommended that the additional provincial funding of \$6.002 million be used to offset the 2008 budgeted reserve draw, reducing the 2008 budgeted draw from the CCERF from \$8.720 million to \$2.718 million.

After making the recommended adjustment to the CCERF, the projected year-end balance in the CCERF will be \$40.620 million. Based on current service levels, it is expected that the reserve fund will be exhausted in 2011.

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

Summary

This report seeks approval to amend the Children's Services 2008 Approved Operating Budget to reflect additional Best Start funding. Details of additional funding were provided by Minister Matthews, Minister of Children and Youth Services (MCYS), in a letter to Mayor Miller dated July 25, 2008 and announced publicly on July 9, 2008. This announcement includes an allocation of \$6.002 M for additional fee subsidies and French-language child care funding.

The report also reports on the funding issues facing the child care system as directed by Council.

Background Information

Additional Funding for Child Care and Ongoing Funding Pressures
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16694.pdf>)

EX26.49	ACTION			Ward: 31
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City Clerk's Office 2008 Capital Budget Amendment and Potential Acquisition of 89 Northline Road

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

(October 24, 2008) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council authorize the "Elections Facility Project", a new capital project to be added to the City Clerk's Office 2008 Capital Budget, to enable the acquisition of the Northline Property as an elections office site. The acquisition cost and details of the funding sources for the Elections Facility Project are set out in Confidential Attachment 1;
2. Authority be granted to enter into an agreement of purchase and sale with the owner of the Northline Property, Northline 89 Inc., to acquire the Northline Property at the acquisition cost set out in Confidential Attachment 1, on terms and conditions deemed appropriate by the Chief Corporate Officer and in a form satisfactory to the City Solicitor.
3. The Chief Corporate Officer and the Director of Real Estate Services be severally authorized to accept and execute the agreement of purchase and sale on behalf of the City.
4. The City Solicitor be authorized to complete all transactions contemplated above on behalf of the City including making payment of any necessary expenses, and amending the closing date and other dates to such earlier date(s) and on such terms and conditions as she may from time to time consider reasonable.
5. City Council authorize the public release of the Confidential Information contained in Attachment 1 upon completion of all terms of the purchase and sale agreement with Northline 89 Inc. to the satisfaction of the City Solicitor.

Financial Impact

No provision has been made for the acquisition of an elections office in the City Clerk's Office 2008 Approved Capital Budget. City Council's approval is required to amend the 2008 Approved Capital Budget of the City Clerk's Office by the addition of the Elections Facility Project and corresponding funding. The details of the Elections Facility Project and funding sources are described in Confidential Attachment 1.

Additional costs to retrofit the Northline Property, estimated in the amount of \$2 million, are included in the City Clerk's Office 2009 Capital Budget for consideration in the 2009 Capital

Budget process.

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

Summary

The purpose of this report is to seek City Council's authority to acquire the property known as 89 Northline Road (the "Northline Property") and to establish a new capital project in the 2008 Capital Plan for the City Clerk's Office for the acquisition of the Northline Property. The Northline Property is required for the core requirements of the City Clerk's Office to run elections.

Background Information

City Clerk's Office 2008 Capital Budget Amendment and Potential Acquisition of 89 Northline Road

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16695.pdf>

Appendix B - Site Map

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16696.pdf>

Communications

(October 29, 2008) e-mail from Bruce Bowes, Chief Corporate Officer, City of Toronto (EX.Supp)

EX26.50	ACTION			Ward: All
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Toronto Police Service Board Bargaining with the Toronto Police Association - 2008 Collective Agreement

Confidential Attachment - Labour relations or employee negotiations

(October 21, 2008) Report from the City Manager, addressed to the Employee and Labour Relations Committee

Recommendations

The City Manager recommends that:

1. Council adopt the recommendations contained in the confidential attachment to this report; and
2. That this labour relations matter shall remain confidential.

Financial Impact

There is no direct financial impact regarding the recommendations.

Summary

The purpose of this report is to seek approval and recommendation from City Council regarding a confidential labour relations matter.

Background Information

Toronto Police Service Board Bargaining with the Toronto Police Association - 2008 Collective Agreement
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16697.pdf>

EX26.51	Information			
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Toronto Police Services Board Response to the City Council Decision EX21.2 – City-Based Measures to Address Gun Violence

(October 2, 2008) Report from the Chair, Toronto Police Services Board

Financial Impact

There are no financial implications in regard to the receipt of this report.

Summary

The purpose of this report is to provide the Executive Committee with the Toronto Police Services Board's response to the City Council decision EX21.2 – City Based Measures to Address Gun Violence.

Background Information

Toronto Police Services Board Response to the City Council Decision EX21.2 - City-Based Measures to Address Gun Violence
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16698.pdf>

EX26.52	ACTION			
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Toronto Police Service – Transfer of Capital Funds (TRMS project)

(October 2, 2008) Report from the Chair, Toronto Police Services Board

Recommendations

It is recommended that the Executive Committee approve a transfer of \$100,000 from the Computer Assisted Scheduling of Courts (CASC) project to the Time Resource Management System (TRMS) project.

Financial Impact

The TRMS upgrade project is expected to be completed \$100,000 over budget, largely due to the application of PST for professional services contracted to complete the upgrade, that was

previously not charged by the vendor, and therefore not included in the project budget. The funding short-fall in the TRMS project can be funded by a transfer from the CASC project, which was completed earlier this year under budget.

Summary

The purpose of this report is to request the approval of the transfer of capital funds within the Toronto Police Service's 2008-2012 capital program.

Background Information

Toronto Police Service - Transfer of Capital Funds (TRMS project)
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16700.pdf>

EX26.53	ACTION			
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Toronto Police Service – Transfer of Capital Funds (In-car Camera Capital Project)

(October 10, 2008) Report from the Chair, Toronto Police Services Board

Recommendations

It is recommended that the Executive Committee approve a transfer of \$600,000 from the Computer Assisted Scheduling of Courts (CASC) project to the In-Car Camera project.

Financial Impact

The In-Car Camera capital project currently has sufficient funding for the purchase of 300 cameras. The total cost for the planned purchase of an additional 160 cameras in 2008 is \$1.6M, including taxes. This additional expenditure can be funded by using \$1.0M in under-expenditures in the Toronto Police Service's operating budget, combined with the transfer of \$0.6M from the Computer Assisted Scheduling of Courts capital project (completed \$0.7M under budget).

Summary

The purpose of this report is to request the approval of the transfer of capital funds in the amount of \$600,000 within the Toronto Police Service's 2008-2012 capital program.

Background Information

Toronto Police Service - Transfer of Capital Funds (In-Car Camera Capital Project)
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16701.pdf>