

## Executive Committee

<b>Meeting No.</b>	23	<b>Contact</b>	Patsy Morris, Committee Administrator
<b>Meeting Date</b>	Tuesday, September 2, 2008	<b>Phone</b>	416-392-9151
<b>Start Time</b>	11:00 AM	<b>E-mail</b>	pmorris@toronto.ca
<b>Location</b>	Committee Room 1, City Hall		

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### Attendance

Members of the Executive Committee were present for some or all of the time periods indicated under the section headed "Meeting Sessions", which appears at the end of the Minutes.

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

Deputy Mayor Pantalone assumed the Chair.

On motion by Councillor Moscoe, the Executive Committee confirmed the Minutes of the Meeting held on June 26, 2008.

EX23.1	ACTION	Amended		Ward: All
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## Mayor's Tower Renewal

(August 19, 2008) Report from Mayor David Miller

### Recommendations

The Mayor recommends that:

1. City Council adopt the objectives, principles, approach and criteria presented in the Mayor's Tower Renewal Opportunities Book and that they be used to define the planning and implementation of the Mayor's Tower Renewal.
2. The City Manager be directed to take steps to establish the Mayor's Tower Renewal project office by November 2008.
3. The City Manager be directed to develop and implement a Mayor's Tower Renewal Pilot Site Strategy in each community council area as outlined in the report on the Mayor's Tower Renewal Pilot Sites.
4. The Tower Renewal Office work with City divisions to develop the following elements of Tower Renewal for the pilot sites by March 2009:
  - a. Community energy plans for each pilot site in consultation with the appropriate stakeholders taking into account energy conservation and demand management, renewable energy, distributed generation, beneficial technologies, as well as the City of Toronto Green Development Standard and the tower renewal cost benefit analysis and best practice research underway at the University of Toronto.
  - b. A site-by-site review indicating how potential financing options, including private sector funding and possible City funding including the Sustainable Energy Funds, the Ontario Power Authority's 90 Megawatt Electricity Conservation incentives, etc, could provide financial support for the energy efficiency and renewable energy implementation related to the buildings and sites.
  - c. How to best address the planning issues associated with undertaking Mayor's Tower Renewal at the pilot sites, in a manner that maximizes the potential for achieving the goals of Mayor's Tower Renewal across the City of Toronto.
  - d. How to facilitate the permitting and approvals process at the pilot sites.
  - e. Coordinated approaches to engage tenants at the pilot sites.

- f. How Mayor's Tower Renewal will be integrated into the work of the Neighbourhood Action Teams (in the case of pilot locations within a priority neighbourhood) and the Community Resources Unit.
- g. How on-site community use space, programming and recreational activities will be accommodated and improved at the pilot locations
- h. The outcome of safety audits in collaboration with building tenants, land/building owner(s), community stakeholders, local councillor, Toronto Police and other pertinent City partners.
- i. How to improve access to, and maintenance of, adjacent parks, ravines and natural areas, where applicable.
- j. How the Live Green Toronto program and the Eco-roof program including green roofs will support the goals of Mayor's Tower Renewal at the pilot sites.
- k. Opportunities to enhance the local tree canopy.
- l. Opportunities to advance the objectives of the Green Economic Development Strategy by introducing local green technology in the pilot projects where possible.
- m. Opportunities to advance neighbourhood cultural initiatives such as the inclusion of Mayor's Tower Renewal pilot sites in future Doors Open Toronto events and providing input into public art projects considered as site enhancements. (Motion by Councillor Mihevc.)
- n. Approaches to help ensure that any rent increases or other negative impacts to tenants that may result from energy efficiency and site improvements are avoided or minimized.
- o. Local employment strategies for each of the pilot locations with a focus on providing critical employment services and supports (e.g., pre-employment support, job skills training, apprenticeship opportunities, volunteer and paid work opportunities, job retention support, education referrals) to local residents at pilot locations and with employers involved in Mayor's Tower Renewal.
- p. Opportunities to leverage partnership and sponsorship opportunities in support of Mayor's Tower Renewal activities.
- q. Opportunities to improve the pedestrian and cycling infrastructure and other forms of sustainable transportation at the pilot sites.
- r. How the City of Toronto solid waste management policies and programs will be carried out at the pilot sites.

- s. How the Water Efficiency Plan and the Wet Weather Flow Master Plan will be implemented at the pilot sites
  - t. How greenhouse gas emissions will be monitored and reported at each site.
  - u. Any additional information resources, as required.
5. The City Manager be directed to collaborate with the Mayor's Tower Renewal Leaders on the development and implementation of the Mayor's Tower Renewal pilot site strategies to maximize the benefits of the contributions made by the Leaders and to avoid duplication of efforts.
  6. The City Manager be directed to produce an inventory of lessons learned from activities at each pilot site and a detailed strategy outlining how Mayor's Tower Renewal will be implemented across all City of Toronto neighbourhoods.
  7. Authorize and direct appropriate City officials to take the necessary action to give effect thereto.

### **Financial Impact**

There are no direct financial implications resulting from the adoption of this report.

### **Summary**

Mayor's Tower Renewal is an opportunity to make tremendous progress on the major themes of city-building contained in my mandate. By dramatically improving the energy efficiency of the more than 1,000 high rise residential concrete frame buildings located throughout Toronto, Mayor's Tower Renewal will reduce greenhouse gas emissions by between three and five percent for the urban area.

Mayor's Tower Renewal will also generate social, economic and cultural benefits by creating local green jobs, increasing on-site small-scale retail and markets, upgrading green space around the buildings, providing more space for neighbourhood meetings and interactions, installing solar, wind and geothermal energy solutions, and green roofs where appropriate, increasing water conservation and on-site management of waste, increasing the demand for locally-produced green and clean technology, and fostering community gardens and urban agriculture at the sites.

Mayor's Tower Renewal also complements the goals of Transit City to deliver over 120 kilometres of rapid public transit to every corner of our city, making vital connections to our priority neighbourhoods where there is the greatest need and limited access to services. The initiative is also consistent with the objectives of the Agenda for Prosperity — including supporting a proactive, global, creative and inclusive Toronto — as well as with our Climate Change, Clean Air and Sustainable Energy Action Plan and with the work of the Neighbourhood Action Teams in the city's 13 priority neighbourhoods.

Mayor's Tower Renewal is an ambitious but important plan that will require unprecedented levels of cooperation and coordination across all City Divisions and Agencies, combined with a wide array of external partners.

**Speakers**

Mr. John Cartwright, Toronto and York Region Labour Council  
Mr. Franz Hartmann, Toronto Environmental Alliance  
Councillor Suzan Hall, Ward 1, Etobicoke North  
Councillor Cliff Jenkins, Ward 25, Don Valley West  
Councillor Denzil Minnan-Wong, Ward 34, Don Valley East  
Councillor Frances Nunziata, Ward 11, York South-Weston  
Councillor Cesar Palacio, Ward 17, Davenport  
Councillor Michael Walker, Ward 22, St. Paul's

**Committee Recommendations**

The Executive Committee recommends that:

1. City Council adopt the objectives, principles, approach and criteria presented in the Mayor's Tower Renewal Opportunities Book and that they be used to define the planning and implementation of the Mayor's Tower Renewal.
2. The City Manager be directed to take steps to establish the Mayor's Tower Renewal project office by November 2008.
3. The City Manager be directed to develop and implement a Mayor's Tower Renewal Pilot Site Strategy in each community council area as outlined in the report on the Mayor's Tower Renewal Pilot Sites.
4. The Tower Renewal Office work with City divisions to develop the following elements of Tower Renewal for the pilot sites by March 2009:
  - a. Community energy plans for each pilot site in consultation with the appropriate stakeholders taking into account energy conservation and demand management, renewable energy, distributed generation, beneficial technologies, as well as the City of Toronto Green Development Standard and the tower renewal cost benefit analysis and best practice research underway at the University of Toronto.
  - b. A site-by-site review indicating how potential financing options, including private sector funding and possible City funding including the Sustainable Energy Funds, the Ontario Power Authority's 90 Megawatt Electricity Conservation incentives, etc, could provide financial support for the energy efficiency and renewable energy implementation related to the buildings and sites.
  - c. How to best address the planning issues associated with undertaking Mayor's Tower Renewal at the pilot sites, in a manner that maximizes the potential for achieving the goals of Mayor's Tower Renewal across the City of Toronto.
  - d. How to facilitate the permitting and approvals process at the pilot sites.

- e. Coordinated approaches to engage tenants at the pilot sites.
- f. How Mayor's Tower Renewal will be integrated into the work of the Neighbourhood Action Teams (in the case of pilot locations within a priority neighbourhood) and the Community Resources Unit.
- g. How on-site community use space, programming and recreational activities will be accommodated and improved at the pilot locations
- h. The outcome of safety audits in collaboration with building tenants, land/building owner(s), community stakeholders, local councillor, Toronto Police and other pertinent City partners.
- i. How to improve access to, and maintenance of, adjacent parks, ravines and natural areas, where applicable.
- j. How the Live Green Toronto program and the Eco-roof program including green roofs will support the goals of Mayor's Tower Renewal at the pilot sites.
- k. Opportunities to enhance the local tree canopy.
- l. Opportunities to advance the objectives of the Green Economic Development Strategy by introducing local green technology in the pilot projects where possible, by promoting local green manufacturing, where possible, to supply the products required. (**Motion by Councillor Mihevc.**)
- m. Opportunities to advance neighbourhood cultural initiatives such as the inclusion of Mayor's Tower Renewal pilot sites in future Doors Open Toronto events and providing input into public art projects considered as site enhancements.
- n. Approaches to help ensure that any rent increases or other negative impacts to tenants that may result from energy efficiency and site improvements are avoided or minimized.
- o. Local employment strategies for each of the pilot locations with a focus on providing critical employment services and supports (e.g., pre-employment support, job skills training, apprenticeship opportunities, volunteer and paid work opportunities, job retention support, education referrals) to local residents at pilot locations and with employers involved in Mayor's Tower Renewal.
- p. Opportunities to leverage partnership and sponsorship opportunities in support of Mayor's Tower Renewal activities.
- q. Opportunities to improve the pedestrian and cycling infrastructure and other forms of sustainable transportation at the pilot sites.

- r. How the City of Toronto solid waste management policies and programs will be carried out at the pilot sites.
  - s. How the Water Efficiency Plan and the Wet Weather Flow Master Plan will be implemented at the pilot sites
  - t. How greenhouse gas emissions will be monitored and reported at each site.
  - u. Any additional information resources, as required.
5. The City Manager be directed to collaborate with the Mayor's Tower Renewal Leaders on the development and implementation of the Mayor's Tower Renewal pilot site strategies to maximize the benefits of the contributions made by the Leaders and to avoid duplication of efforts.
6. The City Manager be directed to produce an inventory of lessons learned from activities at each pilot site and a detailed strategy outlining how Mayor's Tower Renewal will be implemented across all City of Toronto neighbourhoods.
7. A detailed Mayor's Tower Renewal site strategy be developed and implemented, according to the approach outlined in the August 19, 2008 Mayor's Tower Renewal report, at the following locations:
- a. 2677 + 2667 Kipling Avenue
  - b. 175 Shaughnessy Blvd
  - c. 215 Markham Road
  - d. 200 Wellesley Street East + 275 Bleecker Street
8. Authorize and direct appropriate City officials to take the necessary action to give effect thereto.

### **Decision Advice and Other Information**

The Executive Committee received, for information, the report (August 19, 2008) from Mayor David Miller, entitled "Mayor's Tower Renewal Leaders".

Mayor David Miller, Mr. Michael McClelland and Mr. Graeme Stewart, ERA Architects, provided a presentation to the Executive Committee respecting the Mayor's Tower Renewal.

A copy of the Mayor's Tower Renewal Opportunities Book, prepared for the City of Toronto by E.R.A. Architects and the University of Toronto, was distributed to all Members of Council and select City Officials with the September 2, 2008, Executive Committee agenda, and a copy thereof is also on file in the Office of the City Clerk, City Hall.

### **Motions**

*Motion to Amend Item (Additional) moved by Councillor Joe Mihevc (Carried)*

Recommendation 4. 1.

*Motion to Receive Item moved by Mayor David Miller (Carried)*  
Receipt of Item EX23.1b.

*Motion to Adopt Item moved by Councillor Giorgio Mammoliti (Carried)*  
(Item EX23.1 and EX23.1. a.)

**Which carried on the following Recorded Vote:**

**Yeas: Carroll, Davis, De Baeremaeker, Kelly, Mammoliti, Mihevc, Miller, Moscoe, Pantalone, Rae.**

**Nays: None.**

*Motion to Amend Item moved by Councillor Shelley Carroll (Lost)*

On behalf of Councillor Denzil Minnan Wong

“That the Executive Committee request the City Manager and the Deputy City Manager, and Chief Financial Officer, to submit a report directly to Council outlining the principles and structures behind the financing of the retrofitting of buildings. This report to include financing models used in other jurisdictions and any financial commitments and exposure to the city.”

### **Links to Background Information**

Mayor's Tower Renewal

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-14989.pdf>)

### **1a Mayor's Tower Renewal – Pilot Sites**

(August 19, 2008) Report from Mayor Miller

#### **Recommendations**

The Mayor recommends that:

1. A detailed Mayor's Tower Renewal site strategy be developed and implemented, according to the approach outlined in the August 19, 2008 Mayor's Tower Renewal report, at the following locations:
  - a. 2677 + 2667 Kipling Avenue
  - b. 175 Shaughnessy Blvd
  - c. 215 Markham Road
  - d. 200 Wellesley Street East + 275 Bleecker Street

#### **Financial Impact**

There are no direct financial implications resulting from the adoption of this report.

#### **Summary**

The Mayor's Tower Renewal pilot sites were chosen to demonstrate a series of project outcomes, in a variety of neighbourhood contexts. Four pilot sites have been identified, one in each Community Council area including Etobicoke York, North York, Scarborough, Toronto



and East York.

Work on the sites will be coordinated by the Tower Renewal project office and will require initiatives of varying scales and mandates appropriate to site conditions and the geography of each particular apartment neighbourhood. Overall, the pilot sites will be an on-the-ground demonstration of the full range of Mayor's Tower Renewal opportunities and objectives.

### **Links to Background Information**

Mayor's Tower Renewal - Pilot Sites

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15352.pdf>)

## **1b Mayor's Tower Renewal Leaders**

(August 19, 2008) Report from Mayor Miller

### **Summary**

The Mayor of Toronto's Tower Renewal Leaders program celebrates the contributions of individual Torontonians in transforming mid-century high-rise buildings and their surrounding sites into sustainable communities.

Sustainable communities operate to the highest environmental standards and are characterized by community inclusion and cohesion, strong local economic development, vibrant cultural activities and beautiful public space.

Tower Renewal Leaders have committed to achieving a tangible result relating to at least one of the four pilot sites. Each commitment is a fundamental part of delivering Tower Renewal and the first round of commitments are for a 12 to 18 month period.

Tower Renewal Leaders will take action and in so doing, will inspire and empower others to do the same.

### **Links to Background Information**

Mayor's Tower Renewal Leaders

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15351.pdf>)

EX23.2	ACTION	Adopted		Ward: All
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## Appointment of the City Manager

(August 20, 2008) Report from Mayor David Miller

### Recommendations

I am recommending that City Council approve the following recommendations to give effect to these appointments:

1. Appoint Joseph P. Pennachetti as the City Manager for the City of Toronto effective October 6, 2008, subject to an agreement of employment terms prior to this date; with all the powers and duties imposed upon the City Manager by Article I of Chapter 169, City Officials, of the City of Toronto Municipal Code, and as chief administrative officer under Section 140 of the *City of Toronto Act, 2006*.
2. The Mayor be authorized to negotiate the terms and conditions of employment for Joseph P. Pennachetti based on mutually satisfactory terms and reflective of the City's employment and compensation policies, and to execute any related documents as necessary.
3. Appoint Cameron S. Weldon as the Deputy City Manager and Chief Financial Officer in an acting capacity for the City of Toronto effective October 6, 2008, with all the powers conferred and duties imposed upon the Deputy City Manager and Chief Financial Officer by Article III of Chapter 169, City Officials, of the City of Toronto Municipal Code until a Deputy City Manager and Chief Financial Officer appointed by Council takes office.
4. Appoint Cameron S. Weldon as interim acting City Treasurer as required under section 138(1) of the *City of Toronto Act, 2006* effective October 6, 2008 and until a City Treasurer appointed by Council takes office.
5. Repeal section 1 of By-law No. 881-2001, "To Appoint a Chief Administrative Officer."
6. Repeal section 1 B. of By-law No.318-2005, "To amend By-law No.881-2001 to change the title of the official from Chief Administrative Officer to City Manager."
7. Repeal section 1 of By-law No.314-2005, "To Appoint Joseph P. Pennachetti as Deputy City Manager and Chief Financial Officer and as Treasurer under section 286(1) of the *Municipal Act, 2001*."
8. Authorize the City Solicitor to introduce the necessary bills to City Council to give effect to these recommendations.

## Summary

Shirley Hoy, City Manager for the City of Toronto announced on July 28, 2008 that she will leave the position of City Manager effective October 6, 2008. Ms. Hoy was appointed as Chief Administrative Officer for the City of Toronto (now known as the City Manager) at City Council's meeting of June 26, 27 and 28, 2001.

I am recommending in this report that Joseph P. Pennachetti be appointed the City Manager for the City of Toronto. I am also recommending that Cameron S. Weldon be appointed as acting Deputy City Manager and Chief Financial Officer until the recruitment and selection process is completed.

## Speakers

Councillor Cliff Jenkins, Ward 25, Don Valley West

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

Councillor Michael Walker, Ward 22, St. Paul's

## Committee Recommendations

The Executive Committee recommends that City Council:

1. Appoint Joseph P. Pennachetti as the City Manager for the City of Toronto effective October 6, 2008, subject to an agreement of employment terms prior to this date; with all the powers and duties imposed upon the City Manager by Article I of Chapter 169, City Officials, of the City of Toronto Municipal Code, and as chief administrative officer under Section 140 of the *City of Toronto Act, 2006*.
2. Authorize the Mayor to negotiate the terms and conditions of employment for Joseph P. Pennachetti based on mutually satisfactory terms and reflective of the City's employment and compensation policies, and to execute any related documents as necessary.
3. Appoint Cameron S. Weldon as the Deputy City Manager and Chief Financial Officer in an acting capacity for the City of Toronto effective October 6, 2008, with all the powers conferred and duties imposed upon the Deputy City Manager and Chief Financial Officer by Article III of Chapter 169, City Officials, of the City of Toronto Municipal Code until a Deputy City Manager and Chief Financial Officer appointed by Council takes office.
4. Appoint Cameron S. Weldon as interim acting City Treasurer as required under section 138(1) of the *City of Toronto Act, 2006* effective October 6, 2008 and until a City Treasurer appointed by Council takes office.
5. Repeal section 1 of By-law No. 881-2001, "To Appoint a Chief Administrative Officer."
6. Repeal section 1 B. of By-law No.318-2005, "To amend By-law No.881-2001 to change the title of the official from Chief Administrative Officer to City Manager."

7. Repeal section 1 of By-law No.314-2005, “To Appoint Joseph P. Pennachetti as Deputy City Manager and Chief Financial Officer and as Treasurer under section 286(1) of the *Municipal Act, 2001.*”
8. Authorize the City Solicitor to introduce the necessary bills to City Council to give effect to these recommendations.

### Motions

*Motion to Meet in Closed Session moved by Councillor Glenn De Baeremaeker (Carried)*  
Personal matters about an identifiable individual, including City or local board employees.

*Motion to Adopt Item moved by Mayor David Miller (Carried)*

### Links to Background Information

Appointment of the City Manager

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-14990.pdf>

EX23.3	ACTION	Deferred		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 complainant 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.

### Communications

(August 28, 2008) letter from Mr. Stanley Makuch, Cassels, Brock & Blackwell LLP (EX.Supp.EX23.3.1)

### Decision Advice and Other Information

The Executive Committee again deferred consideration of the report (May 16, 2008) from the Deputy City Manager and Chief Financial Officer and Deputy City Manager Richard Butts, entitled “Complaint Pursuant to Section 20 of the Development Charges Act, 1997, 3700 Midland Avenue”, until its meeting scheduled to be held on October 6, 2008, in order to afford the complainant an opportunity to engage in further discussions with staff, including City legal

### Motions

*Motion to Defer Item moved by Mayor David Miller (Carried)*

### Links to 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-13631.pdf>  
 Development Charges Complaint Letter - Cassels Brock & Blackwell LLP  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13632.pdf>

EX23.4	ACTION	Amended		Ward: All
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### Request for Reimbursement of Legal Expenses Incurred by Councillor Giorgio Mammoliti in Relation to Compliance Audit Application

(August 21, 2008) Report from the Acting City Solicitor

## Recommendations

The Acting City Solicitor recommends that:

1. The matter of Councillor Mammoliti's request for reimbursement for legal and consultant's fees be deferred to the October meeting of the Executive Committee.
2. The City Solicitor report to the October meeting on the reasonableness of Councillor Mammoliti's legal expenses and, in respect of the reasonableness of consultant expenses, in consultation with the Deputy City Manager and Chief Financial Officer and that such report be considered for debate at that meeting.

## Financial Impact

There are no direct financial impacts of this report.

## Summary

City Council has invited members of Council who have incurred legal and related expenses as a result of compliance audits to submit an application for reimbursement of these expenses. City Council has also directed the City Solicitor to review the legal bills associated with the applications and report on the reasonableness of the expenses. This report relates to an application made by Councillor Mammoliti in a communication to Executive Committee at its meeting on June 26, 2008. The Executive Committee referred the communication to the City Solicitor for a report to the Executive Committee at its meeting of September 2, 2008. This report recommends a deferral to the October meeting of the Committee to ensure the appropriate review, as directed by the Committee.

## Communications

(August 28, 2008) letter from Councillor Giorgio Mammoliti (EX.Supp.EX23.4.1)

(<http://www.toronto.ca/legdocs/mmis/2008/ex/comm/communicationfile-8211.pdf>)

(September 2, 2008) submission from Councillor Mammoliti (Article appearing in The Toronto Star, entitled "Councillors' Legal Fees".) (EX.Main.EX23.4.2)

## Committee Recommendations

The Executive Committee recommends to City Council that:

1. the payment of legal expenses incurred by Councillor Giorgio Mammoliti in relation to a Compliance Audit Application, be approved in principle. **(Motion by Councillor Moscoe.)**

## Decision Advice and Other Information

The Executive Committee:

1. requested the City Solicitor to submit a report directly to Council for its meeting scheduled to be held on September 24, 2008, on the reasonableness of the legal fees incurred by Councillor Mammoliti, to determine the amount of the payment; and **(Motion by Councillor Moscoe.)**

2. received, for information, the report (August 21, 2008) from the Acting City Solicitor.  
(**Motion by Councillor Moscoe.**)

### **Motions**

Motion to Adopt Item as Amended moved by Councillor Howard Moscoe (Carried)  
Committee Recommendation 1.

Motion to Amend Item (Additional) moved by Councillor Howard Moscoe (Carried)  
Request for City Solicitor to report directly to Council.

Motion to Receive Item moved by Councillor Howard Moscoe (Carried)  
Receipt of report dated August 21, 2008, from the Acting City Solicitor.

### **Declared Interests**

The following member(s) declared an interest:

Councillor Giorgio Mammoliti - declared his interest in this matter in that he has been the subject of a compliance audit application.

### **Links to Background Information**

Request for Reimbursement of Legal Expenses Incurred by Councillor Giorgio Mammoliti in Relation to a Compliance Audit Application  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15126.pdf>)

<b>EX23.5</b>	<b>ACTION</b>	Amended		Ward: All
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### **Request for Reimbursement of Legal Expenses Incurred by Councillor Heaps in Relation to Compliance Audit Application**

(June 12, 2008) Report from the City Solicitor

### **Financial Impact**

There are no direct financial impacts of this report.

### **Summary**

City Council has invited members of Council who have incurred legal expenses as a result of compliance audits to submit an application for reimbursement of these legal expenses. City Council has also directed me to report on the reasonableness of the expenses. This report relates to an application made by Councillor Heaps.

The report refers to advice set out in a report dated November 9, 2007 from me to City Council. That report explained that courts have established that municipalities lack jurisdiction to reimburse councillors for legal expenses incurred outside of the office of councillor such as expenses incurred as a candidate for municipal council.

## Communications

(September 2, 2008) submission from Councillor Mammoliti (News article appearing in The Toronto Star, entitled “Councillors’ Legal Fees” (Metro) (EX.Main.EX23.5.1)

## Committee Recommendations

The Executive Committee recommends that:

1. City Council advance an interim amount of eighty five percent of the legal expenses incurred by Councillor Heaps in relation to a Compliance Audit Application, on the condition that the Councillor agrees that if he is found to have contravened the legislation, the amount will be repaid to the City. (Motion by Councillor Moscoe.)

## Decision Advice and Other Information

The Executive Committee:

1. requested the City Solicitor to submit a report to the Executive Committee on the outcome of the current legal appeal with respect to the decision of the Compliance Audit Committee; and (**Motion by Councillor Moscoe.**)
2. received, for information, the report (June 12, 2008) from the City Solicitor. (**Motion by Councillor Moscoe.**)

## Motions

*Motion to Adopt Item as Amended moved by Councillor Howard Moscoe (Carried)*  
Committee recommendation 1.

*Motion to Amend Item (Additional) moved by Councillor Howard Moscoe (Carried)*  
Request for report directly to Council.

*Motion to Receive Item moved by Councillor Howard Moscoe (Carried)*  
Receipt of report (June 12, 2008) from the City Solicitor.

## Declared Interests

The following member(s) declared an interest:

Councillor Giorgio Mammoliti - declared his interest in this matter in that he has also been the subject of a compliance audit application.

## Links to Background Information

Request for Reimbursement of Legal Expenses Incurred by Councillor Heaps in Relation to Compliance Audit Application

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-14535.pdf>



EX23.6	ACTION	Adopted		Ward: All
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## **Association of Francophone Municipalities of Ontario (AFMO) - Membership Fee Increase**

(August 6, 2008) Report from the City Manager

### **Recommendations**

The City Manager recommends that:

1. the City of Toronto continue its formal membership in the Association of Francophone Municipalities of Ontario.

### **Financial Impact**

The annual fee for the City of Toronto's membership in AFMO is \$15,000.00 in 2008-9 (reflects the province's fiscal year). The membership fee is based on a formula that reflects each member's population. The membership fee is expected to remain stable in coming years, with any adjustments related only to cost of living or population changes. Funds will be absorbed from within the Council General Expense Budget in the City Council 2008 Approved Operating Budget. The 2009 and future year operating budgets will provide for the AFMO membership fee.

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

### **Summary**

L'Association française des municipalités de l'Ontario/the Association of Francophone Municipalities of Ontario (AFMO) has adopted changes to its formula for calculating membership fees. The new formula results in an increase in Toronto's annual membership fee from \$2,900 to \$15,000. It is understood that this is a one-time change and that the membership fee will be stable in future years. This report explains the organization's rationale for the changes and recommends that the City of Toronto continue its membership in AFMO at the new fee level.

### **Committee Recommendations**

The Executive Committee recommends that:

1. the City of Toronto continue its formal membership in the Association of Francophone Municipalities of Ontario.

### **Motions**

*Motion to Adopt Item moved by Councillor Howard Moscoe (Carried)*

### **Links to Background Information**

Association of Francophone Municipalities of Ontario (AFMO) - Membership Fee Increase  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-14999.pdf>)

EX23.7	ACTION	Adopted		Ward: All
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## **Recipients – 2008 Access Equity and Human Rights Awards**

(July 30, 2008) Report from the City Manager

### **Recommendations**

The City Manager recommends that:

1. City Council extend congratulations to the following persons and organizations who have been selected as recipients of the City of Toronto Access Equity and Human Rights Awards:
  - Aboriginal Affairs Award: Yvette Nolan, Métis Artists Collective;
  - Access Award: Ryerson University and the Royal Ontario Museum for “Out from Under” and the Centre for Independent Living;
  - Pride Award: Anna Willats;
  - William P. Hubbard Award: George Elliott Clarke, Avvy Go, and Carl James.

### **Financial Impact**

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

### **Summary**

This report advises Council of the result of the nomination process for the City of Toronto Access, Equity and Human Rights Awards. These Awards are the Aboriginal Affairs Award, the Access Award on Disability Issues, the Constance E. Hamilton Award on the Status of Women, the Pride Award for Lesbian, Gay, Bisexual, Transgender, Transsexual and Two Spirited Issues and the William P. Hubbard Race Relations Award.

Recipients of the Constance E. Hamilton Award are selected by the Women Members of Council and will be reported separately to City Council.

### **Committee Recommendations**

The Executive Committee recommends that:

1. City Council extend congratulations to the following persons and organizations who have been selected as recipients of the City of Toronto Access Equity and Human Rights Awards:
  - Aboriginal Affairs Award: Yvette Nolan, Métis Artists Collective;
  - Access Award: Ryerson University and the Royal Ontario Museum for “Out from Under”, and the Centre for Independent Living;;
  - Pride Award: Anna Willats;
  - William P. Hubbard Award: George Elliott Clarke, Avvy Go, and Carl James.

## Motions

*Motion to Adopt Item moved by Deputy Mayor Joe Pantalone (Carried)*

## Links to Background Information

Recipients - 2008 Access Equity and Human Rights Awards  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15371.pdf>)

EX23.8	ACTION	Amended		Ward: All
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## 2008 Annual Report - City of Toronto Accessibility Plan

(August 19, 2008) Report from the City Manager

## Recommendations

The City Manager recommends that:

1. this Annual Report on the City's Accessibility Plan be submitted to the Ontario Accessibility Directorate and forwarded to the City's Disability Issues Committee for information.

## Financial Impact

None.

## Summary

The submission of an Annual Report on the City of Toronto's Accessibility Plan to the Ontario Accessibility Directorate is a requirement under the Ontarians with Disabilities Act, 2001 (ODA). This report provides an update on the progress of implementation and will be posted on the City's website and reviewed with the City's Disability Issues Committee.

## Committee Recommendations

The Executive Committee recommends that:

1. This Annual Report on the City's Accessibility Plan be submitted to the Ontario Accessibility Directorate and forwarded to the City's Disability Issues Committee for information.
2. The City Manager include in the submission to the Province, the City's initiative regarding the use of an "equity lens" in preparing her reports to Council. **(Motion by Councillor Mihevc.)**

## Decision Advice and Other Information

The Executive Committee requested the City Manager to submit a report directly to Council for its meeting scheduled to be held on September 24, 2008, on how she will include, in her

submission to the Province, the City’s initiative regarding the use of an “equity lens” in the preparation of reports to Council.

**Motions**

*Motion to Amend Item (Additional) moved by Councillor Joe Mihevc (Carried)*  
Committee Recommendation 2.

*Motion to Amend Item (Additional) moved by Councillor Joe Mihevc (Carried)*  
Request for Report directly to Council.

*Motion to Adopt Item as Amended moved by Councillor Joe Mihevc (Carried)*  
Committee Recommendation 1.

**Links to Background Information**

2008 Annual Report - City of Toronto Accessibility Plan  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15057.pdf>)  
Appendix 1 - City of Toronto Divisional Accessibility Plans  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15058.pdf>)

EX23.9	ACTION	Adopted		Ward: All
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**City of Toronto Economic Development Corporation - Annual Report to Shareholder, 2007 Audited Annual Consolidated Financial Statements and Annual General Meeting**

(August 20, 2008) Report from the City Manager

**Recommendations**

The City Manager recommends that City Council:

1. consider this portion of the Council meeting to be the Annual General Meeting of the sole shareholder of City of Toronto Economic Development Corporation(TEDCO) and:
  - a. receive, for information, the annual report of TEDCO to the City (Annual Report), which report is in the form of a letter dated August 12, 2008 from the Chairman of the Board of Directors and the President and Chief Executive Officer of TEDCO to the City and is Attachment 1 to this report;
  - b. receive, for information, the audited annual consolidated financial statements of TEDCO for the period ending December 31, 2007, together with the auditor’s report thereon dated May 28, 2008, which is Attachment 2 to this report;
  - c. adopt the shareholder resolution attached as Attachment 4 to this report to appoint Ernst & Young LLP, Chartered Accountants, as TEDCO’s auditors until the next annual general meeting, and to authorize the directors of TEDCO to fix

the remuneration of TEDCO's auditors; and

2. receive, for information, the report of the Deputy City Manager and Chief Financial Officer, dated August 11, 2008, entitled "TEDCO – 2007 Audited Financial Statements", which is Attachment 3 to this report.

### **Financial Impact**

There are no financial implications that would result from adopting this report.

### **Summary**

This report recommends the actions necessary to comply with the requirements of the Ontario *Business Corporations Act* for the holding of an annual general meeting of the shareholder of City of Toronto Economic Development Corporation (TEDCO) including receipt by the City of TEDCO's audited annual consolidated financial statements and the report of the auditor on those statements, and the appointment of TEDCO's audit or until the next annual general shareholder's meeting.

### **Communications**

(September 2, 2008) submission from entitled "Building Value - TEDCO Corporate Plan 2008 – 2010" submitted by the Toronto Economic Development Corporation (EX.Main.EX23.9.1)

### **Committee Recommendations**

The Executive Committee recommends that City Council:

1. Consider this portion of the Council meeting to be the Annual General Meeting of the sole shareholder of City of Toronto Economic Development Corporation (TEDCO) and:
  - a. receive, for information, the annual report of TEDCO to the City (Annual Report), which report is in the form of a letter dated August 12, 2008 from the Chairman of the Board of Directors and the President and Chief Executive Officer of TEDCO to the City and is Attachment 1 to this report;
  - b. receive, for information, the audited annual consolidated financial statements of TEDCO for the period ending December 31, 2007, together with the auditor's report thereon dated May 28, 2008, which is Attachment 2 to this report;
  - c. adopt the shareholder resolution attached as Attachment 4 to this report to appoint Ernst & Young LLP, Chartered Accountants, as TEDCO's auditors until the next annual general meeting, and to authorize the directors of TEDCO to fix the remuneration of TEDCO's auditors; and
2. Receive, for information, the report of the Deputy City Manager and Chief Financial Officer, dated August 11, 2008, entitled "TEDCO – 2007 Audited Financial Statements", which is Attachment 3 to this report.

## Motions

*Motion to Adopt Item moved by Councillor Gloria Lindsay Luby (Carried)*

## Links to Background Information

City of Toronto Economic Development Corporation - Annual Report to Shareholder, 2007 Audited Annual Consolidated Financial Statements and Annual General Meeting

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15059.pdf>)

Attachment 1: Letter dated August 12, 2008 from the Chairman of the Board of Directors and the President and Chief Executive Officer of TEDCO to the City comprising TEDCO 2007 Annual Report to Shareholder

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15060.pdf>)

Attachment 2: 2007 TEDCO Consolidated Audited Annual Financial Statements and the Report of the Auditor

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15061.pdf>)

Attachment 3: Report of the Deputy City Manager and Chief Financial Officer dated August 11, 2008 entitled "TEDCO - 2007 Audited Financial Statements"

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15062.pdf>)

Attachment 4: Shareholder Resolution

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15063.pdf>)

EX23.10	ACTION	Adopted		Ward: All
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## Commemoration of the 175<sup>th</sup> Anniversary of the Incorporation of the City of Toronto

(August 19, 2008) Report from Deputy City Manager, Sue Corke

### Recommendations

The Deputy City Manager responsible for the Economic Development, Culture and Tourism Division recommends that:

1. City Council authorize the Toronto 175 Steering Committee, in collaboration with other City Divisions, to develop programming and events celebrating the 175<sup>th</sup> anniversary of the incorporation of the City of Toronto.
2. City Council authorize expenditures of up to \$250,000.00 through the balance of 2008 and into 2009 for the 175<sup>th</sup> anniversary initiatives including: an official public event held on Nathan Phillip's Square March 6, 2009, enhanced March to May programming for LIT CITY 2009 celebrating Doors Open Toronto's 10<sup>th</sup> anniversary and the City of Toronto's 175<sup>th</sup>, and the development/leverage of promotional and sponsorship opportunities.

### Financial Impact

\$250,000 will be required to fund the Toronto 175<sup>th</sup> anniversary celebrations. Celebrations are to commence March 2009 prior to Council approval of the 2009 Operating Budget through to

May 2009.

Program costs associated with the anniversary celebrations include:

Nathan Phillips Square public event March 6, 2009	150,000.00
Enhanced programming for LIT CITY 2009	25,000.00
Coordination	40,000.00
Marketing/Promotional funding	35,000.00

2008 related expenditures will be absorbed within Economic Development, Culture and Tourism's 2008 Approved Operating Budget. 2009 expenditures will be funded from within the 2009 Interim Operating Budget Estimates and funding will be considered as part of the 2009 Operating Budget process.

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

## Summary

March 6, 2009 marks the official 175<sup>th</sup> anniversary of the incorporation of the City of Toronto.

A Steering Committee led by Deputy Mayor Joe Pantalone, at the request of Mayor David Miller, has been formed to develop themes, plans, programming and events to recognize and commemorate this important milestone for our city. The committee includes Cultural Services, Protocol, Toronto Office of Partnerships, Toronto Arts Council, Tourism Toronto and others.

The incorporation of the City of Toronto in 1834 is one of the transformative moments in the evolution of our community as it matured into a vibrant urban centre requiring new levels of governance and democracy to move into the future. At 175 years, Toronto is a city still writing its story. Toronto continues to evolve as each generation and culture influences what this city has been and will be in the future.

Strategic Communications will develop a brand identity (with an anniversary logo) that captures the main themes of the anniversary as well as a communications strategy that sets a consistent, positive tone that will carry throughout 2009. A number of activities are being planned as part of the Toronto 175 festivities and are outlined in this report.

## Committee Recommendations

The Executive Committee recommends that:

1. City Council authorize the Toronto 175 Steering Committee, in collaboration with other City Divisions, to develop programming and events celebrating the 175<sup>th</sup> anniversary of the incorporation of the City of Toronto.
2. City Council authorize expenditures of up to \$250,000.00 through the balance of 2008 and into 2009 for the 175<sup>th</sup> anniversary initiatives including: an official public event held on Nathan Phillip's Square March 6, 2009, enhanced March to May programming for LIT CITY 2009 celebrating Doors Open Toronto's 10<sup>th</sup> anniversary and the City of Toronto's 175<sup>th</sup>, and the development/leverage of promotional and sponsorship

opportunities.

### **Motions**

*Motion to Adopt Item moved by Councillor Howard Moscoe (Carried)*

### **Links to Background Information**

Commemoration of the 175th Anniversary of the Incorporation of the City of Toronto  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15064.pdf>)

EX23.11	Information	Received		Ward: All
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### **Issuance of Charitable Receipts**

(August 19, 2008) Report from the Treasurer

### **Financial Impact**

There are no financial implications arising from this report.

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

### **Summary**

In accordance with provisions of the Canadian Income Tax Act, the City cannot issue an income tax receipt to the Rogers Centre for the value of Toronto Blue Jays baseball tickets requested. The tickets do not qualify for a tax receipt because it is not a voluntary transfer of cash or real property.

### **Decision Advice and Other Information**

The Executive Committee received, for information, the report (August 19, 2008) from the Treasurer, entitled “Issuance of Charitable Receipts”.

### **Motions**

*Motion to Receive Item moved by Councillor Paula Fletcher (Carried)*

### **Links to Background Information**

Issuance of Charitable Receipts  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15065.pdf>)



EX23.12	ACTION	Adopted		
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## 2008 Recipients - Constance E. Hamilton Award

(August 5, 2008) Report from the Constance E. Hamilton Award Selection Committee

### Recommendations

That Toronto City Council confirm the selections made by the Constance E. Hamilton Award Selection Committee comprised of the Women Members of Council that Deena Ladd and Heather McGregor be the recipients of the 2008 Constance E. Hamilton Award.

### Summary

The Constance E. Hamilton Award is named after the first woman elected in 1920 to a municipal council in Toronto. The Award was established in 1979 to celebrate the 50<sup>th</sup> anniversary of the Person's Case which recognized that women were "persons" and could be appointed to the Senate of Canada.

The Constance E Hamilton Award recognizes person(s) who have made a significant contribution to improving the social, economic, cultural and political status of women in Toronto. The recipients are selected by the Women Members of Council.

The Selection Committee has reviewed the nominations submitted by the public. The 2007 recipients who have been selected for their contributions toward improving the status of women in Toronto are:

- Deena Ladd – for advocacy on behalf of marginalized workers; and
- Heather McGregor – for leadership and advocacy within the voluntary sector.

The Constance E. Hamilton Award will be presented during the City's Annual Human Rights Ceremony scheduled for November 27, 2008 at which the following awards will also be presented: Aboriginal Affairs Award, the Access Award on Disability Issues, the Pride Award for Lesbian, Gay, Bisexual, Transgender, Transsexual and Two Spirited Issues and the William P. Hubbard Race Relations Award.

### Committee Recommendations

The Executive Committee recommends that Toronto City Council confirm the selections made by the Constance E. Hamilton Award Selection Committee comprised of the Women Members of Council that Deena Ladd and Heather McGregor be the recipients of the 2008 Constance E. Hamilton Award.

### Motions

*Motion to Adopt Item moved by Councillor Gloria Lindsay Luby (Carried)*

### Links to Background Information

2008 Recipients - Constance E. Hamilton Award

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15066.pdf>

Constance E. Hamilton Recipients - Bios  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15067.pdf>)

EX23.13	ACTION	Adopted		Ward: All
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## **Strategic Human Resource Plan (the Toronto Public Service People Plan)**

(July 22, 2008) Report from the Employee and Labour Relations Committee

### **Recommendations**

The Employee and Labour Relations Committee recommends that City Council:

1. Receive the Toronto Public Service People Plan for information.
2. Approve the Toronto Public Service Learning Strategy in principle.
3. Refer this report to the Budget Committee for consideration with the 2009 Operating Budget process.

### **Financial Impact**

The Learning Strategy describes an incremental approach to increase the investment in employee training. Funding in the amount of \$300,000 will be required in 2009 to implement the Learning Strategy. Incremental increases of \$300,000 in each of 2010 and 2011 will also be required. It is recommended that this funding request be referred to the Budget Committee for consideration with the City's 2009 operating budget. The funding requirements will be included as part of the 2009 operating budget submission from the City Manager's Office.

Any additional financial impact resulting from implementation of the People Plan will be reported through a subsequent operating budget process or through reports on individual initiatives.

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

### **Summary**

This report provides an overview of the new Toronto Public Service People Plan 2008 – 2011 (a long-term human resource strategy for the Toronto Public Service). It includes a Learning Strategy.

The Toronto Public Service People Plan 2008 – 2011 is based on the People Strategy adopted by Council in 2003, and on fact-based evidence and research into significant demographic challenges the City of Toronto will face, along with many other employers, over the next few years. To anticipate and meet these challenges, the Plan sets out five bold goals with specific objectives, related actions and performance measures. The Toronto Public Service People Plan

goals are:

- i. We will be a learning organization;
- ii. We will have safe and healthy workplaces;
- iii. We will attract and retain a skilled, high performing and diverse workforce;
- iv. We will have strong and effective leaders; and
- v. We will build a positive workplace culture.

These goals expand on and operationalize the 2003 People Strategy. Progress in achieving the Toronto Public Service People Plan's objectives will be reviewed annually and adjusted as necessary.

The Toronto Public Service Learning Strategy is a component of the People Plan. It describes concrete actions and the funding required to achieve one of the five goals of the People Plan – “We will be a learning organization”.

### **Speakers**

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

### **Committee Recommendations**

The Executive Committee recommends that City Council:

1. Receive the Toronto Public Service People Plan for information.
2. Approve the Toronto Public Service Learning Strategy in principle.
3. Refer the report (July 8, 2008) from the City Manager, to the Budget Committee for consideration with the 2009 Operating Budget process.

### **Motions**

*Motion to Adopt Item moved by Councillor Mihevc (Carried)*

### **Declared Interests**

The following member(s) declared an interest:

Councillor Howard Moscoe - declared his interest in this matter, only as it pertains to the Children's Services Division, in that his daughter is employed by a Daycare Centre of the City of Toronto.

### **Links to Background Information**

Strategic Human Resource Plan (the Toronto Public Service People Plan)

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15068.pdf>)

Attachment 1: Toronto Public Service People Plan 2008-2011

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15069.pdf>)

Attachment 2: The Toronto Public Service Learning Strategy

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15070.pdf>)

EX23.14	ACTION	Adopted		Ward: All
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## **Instruction on a Labour Relations Matter**

### **Confidential Attachment - Labour relations or employee negotiations**

(July 22, 2008) Report from the Employee and Labour Relations Committee

### **Recommendations**

The Employee and Labour Relations Committee recommends that:

1. Council adopt the confidential recommendations to staff contained in confidential Attachment 1.
2. Council authorize only the release of the recommendations embodied in the confidential attachment following the notification by staff to each of the bargaining units (i.e., TCEU, Local 416, CUPE, Local 79, CUPE, Local 2998 and TPFPA, Local 3888) and COTAPSAI.

### **Financial Impact**

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

### **Summary**

This report seeks instruction from Council on a labour relations matter.

### **Committee Recommendations**

The Executive Committee recommends that:

1. Council adopt the confidential recommendations to staff contained in confidential Attachment 1.
2. Council authorize only the release of the recommendations embodied in the confidential attachment following the notification by staff to each of the bargaining units (i.e., TCEU, Local 416, CUPE, Local 79, CUPE, Local 2998 and TPFPA, Local 3888) and COTAPSAI.

### **Motions**

*Motion to Adopt Item moved by Councillor Janet Davis (Carried)*

### **Links to Background Information**

Instruction on a Labour Relations Matter

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15071.pdf>

EX23.15	Information	Deferred		Ward: All
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### **Quarterly Report: Grievance and Arbitration Activity**

(May 12, 2008) Report from the Executive Director, Human Resources Division, addressed to the Employee and Labour Relations Committee and submitted to the Executive Committee at the request of the Chair of the Committee.

#### **Financial Impact**

There are no immediate financial implications in relation to this report.

#### **Summary**

To provide the quarterly report of grievance and arbitration activity between January 1 and March 31, 2008, for information.

#### **Decision Advice and Other Information**

The Executive Committee deferred consideration of the report (May 12, 2008) from the Executive Director, Human Resources Division, until its meeting scheduled to be held on October 6, 2008, for the hearing of deputations.

#### **Motions**

*Motion to Defer Item moved by Mayor David Miller (Carried)*

#### **Links to Background Information**

Quarterly Report: Grievance & Arbitration Activity  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15073.pdf>)

EX23.16	ACTION	Amended		Ward: All
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### **Update on the Engineering Review Addressing Basement Flooding**

(August 18, 2008) Report from the General Manager, Toronto Water

#### **Recommendations**

The General Manager, Toronto Water recommends that:

1. Subject to the adoption of Recommendation 2 and the conditions set out therein, the implementation of City sewer infrastructure improvement projects that result from the various Municipal Class Environmental Assessments (the “Environmental Assessments”) undertaken to address basement flooding in the 31 Basement Flooding Study Areas, as identified in the Basement Flooding Work Plan, be prioritized as follows:

- a. City sanitary sewer improvement projects are to be given the highest priority for implementation;
  - b. City storm drainage system improvement projects are to be implemented in the following order of priority based on a consideration of the total number of benefiting properties and the estimated cost of the work to the City apportioned to each property as determined by and in the sole discretion of the General Manager, Toronto Water:
    - i. Improvement projects where the cost of the work to the City apportioned to each benefiting property is estimated to be \$25,000 or less, and prioritized, from highest to lowest, based on the greater number of benefiting properties involved; and
    - ii. Improvement projects where the cost of the work to the City apportioned to each benefiting property is estimated to be greater than \$25,000; provided that given the significantly higher cost of these improvement projects, are to be implemented only as appropriate funding opportunities are available, as determined by the General Manager of Toronto Water, through other City infrastructure renewal programs such as Toronto Water's Sewer Rehabilitation and Reconstruction Program and Transportation Service's Road Reconstruction Program; or should third party funding which reduces materially the City's cost per benefiting property;
2. The General Manager, Toronto Water, include the works identified in Recommendation 1 into the forthcoming Toronto Water 2009-2013 Capital Plan; and implement the works subject to satisfactory completion of the Municipal Class Environmental Assessments corresponding to the works, and Council's approval of Toronto Water's proposed 2009-2013 Capital Plan;
  3. The General Manager, Toronto Water, in developing the annual multi-year Sewer Rehabilitation and Reconstruction Program:
    - a. reassess the list of projects compiled, as Class Environmental Assessment Projects are completed in other Basement Flooding Study Areas, and prioritize the implementation of projects, across all Basement Flooding Study Areas combined, in accordance with the criteria contained in Recommendation 1; and
    - b. identify emerging basement flooding prone areas; and undertake Class Environmental Assessment Studies, as may be necessary, incorporating the level of protection, consistent with that applied for the current 31 Basement Flooding Study Areas, to help mitigate the impacts of basement flooding, in support of the City's Climate Change Adaptation Strategy, representing:
      - i. a storm event equivalent to the May 12, 2000 storm (i.e. equivalent to a storm event with a return frequency of between one in 25 to one in 50 years) for the sanitary sewer system design; and

- ii. the 100 year storm event for the storm drainage system, where feasible, where a proper major (overland flow) drainage system does not exist;
4. The Municipal Code Chapter 681, Sewers be amended such that:
  - a. The connection of downspouts to storm sewers in the Basement Flooding Study Areas, as identified on the map attached as Attachment 1 of this Report, is prohibited;
  - b. The amendment in Recommendation 4 a) shall come into force five years from the date of its enactment;
  - c. The connection of downspouts to storm sewers in any areas of the City, not previously prohibited under Municipal Code Chapter 681, Sewers, as at the effective date of this recommendation, is prohibited;
  - d. The amendment in Recommendation 4 c) shall come into force eight years from the date of its enactment;
  - e. The General Manager, Toronto Water, be authorized to exempt properties from the prohibition set out in Recommendations 4 a) and c) where the General Manager, in the General Manager's sole discretion, determines that, in respect of the property, the disconnection of the downspout or downspouts would create a hazardous condition or is not technically feasible.
5. Authority be granted to the City Solicitor to submit any Bills required to enact the amendments to Municipal Code Chapter 681, Sewers, proposed in Recommendation 4 of this Report, subject to any necessary refinements, including stylistic, format and organization, as may be identified by the City Solicitor and General Manager, Toronto Water;
6. Due to the forecasted length of time required for the City to process and implement all of the applications received under the former Voluntary Downspout Disconnection Program, the General Manager, Toronto Water, enhance the Voluntary Downspout Disconnection Program by allowing eligible property owners on the existing waiting list to opt out of the existing City-performed program and disconnect their downspout(s) themselves; and where an eligible property owner does so, the City will reimburse the property owner for the reasonable cost of labour and materials for completing the eligible work to an upset limit of \$500.00 per property, provided that:
  - a. The property owner submits, to the City's Toronto Water, Business Operations Management office, a completed and compliant application form, together with all invoices and other supporting information substantiating the completion of the work and costs of same;
  - b. The completed application form and all required supporting documentation is received by Toronto Water, Business Operations Management office, within one

- year of the work being completed;
- c. The property owner assumes all responsibility for the work, including installation, performance, maintenance, repair and use, and any other financial responsibility; and
  - d. The City reserves the right to conduct an inspection of the completed work, should it be deemed necessary, to ensure compliance with City requirements.
7. The General Manager, Toronto Water, develop and employ an extensive communication and public education program to inform homeowners and contractors about:
- a. climate change impacts, associated with intense storms, related to basement flooding;
  - b. the importance of downspout disconnection and “home isolation” consisting of the installation of sewer backwater valves and the capping off of storm sewer laterals with the installation of a sump pump to help prevent basement flooding;
  - c. the importance of other lot level controls (e.g. proper lot grading); and
  - d. the City’s Basement Flooding Protection Subsidy Program;
  - e. the enhanced Voluntary Downspout Disconnection Program whereby residents can complete the work themselves and be reimbursed for labour and materials up to \$500.
8. The Basement Flooding Protection Subsidy Program be amended such that:
- a. No subsidy will be provided for downspout disconnection; and
  - b. The maximum total, per property, subsidy available under the program remain at \$3,200 by increasing the subsidy provided for sewer backwater valves and sump pumps by \$250 each, to an upset limit of \$1,250 and \$1,750 respectively;
9. The General Manager, Toronto Water include an increase of 5 permanent professional/technical staff to provide technical support for the design and construction of the improvement works associated with Recommendations 1 and 3, in Toronto Water’s Recommended 2009 Operating Budget;
10. The Acting General Manager, Parks, Forestry and Recreation include an increase of one permanent professional/technical staff to support the design and construction of the improvement works associated with Recommendation 1 and 3, in the forthcoming 2009 Parks, Forestry and Recreation Operating Budget;
11. The General Manager, Toronto Water include an increase of 16 permanent technical and clerical staff to support servicing of the disconnection of downspouts for eligible



properties included in the City's former Voluntary Downspout Disconnection Program; the expansion, City-wide, of the Mandatory Downspout Disconnection Program; and the promotion of and service in anticipation of increased public demand for the Basement Flooding Protection Subsidy Program;

12. The General Manager, Toronto Water, report to Budget Committee on the cost estimate and schedule for the implementation of the capital works necessary to provide basement flooding relief across the 31 Basement Flooding Study Areas, with the submission of Toronto Water's proposed 2010-2014 Capital Budget;
13. The whole City be declared at risk of basement flooding in the event of unusually severe or extreme precipitation, and the Chief Building Official, in collaboration with the General Manager, Toronto Water, the Chief Planner, the Executive Director of Municipal Licensing & Standards, and the City Solicitor, in accordance with the Ontario Building Code, require any applicant of a Plumbing Permit related to the sewer drain where there is a below grade living area anywhere in the City of Toronto to install a backwater valve on their sanitary sewer lateral;
14. The Chief Planner and Executive Director of City Planning, in consultation with the General Manager, Toronto Water, the Chief Building Official and the City Solicitor, consider zoning regulations, in his report on the new Zoning Bylaw, that restrict the construction of any new reverse sloped and below grade driveways;
15. The Executive Director of Municipal Licensing & Standards, in consultation with the General Manager, Toronto Water, the Chief Building Official and the City Solicitor, report on any appropriate amendments to the Property Standards Bylaw to create consistency with any proposed zoning bylaw changes respecting reverse sloped driveways; and
16. The appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

### **Financial Impact**

The financial impact associated with implementing the recommended priority projects to relieve basement flooding in Basement Flooding Study Areas 14, 28, 29 and 30, alone, represents a cash flow increase of \$118.0 million over the \$76.4 million currently included in Toronto Water's approved 2008-2012 Capital Plan for basement flooding relief, City-wide. These costs will be reflected in an increased forecast cost for basement flooding in Toronto Water's proposed 2009-2013 Capital Budget. It is anticipated that expenditures in the range of several \$100 million dollars will be required to fully implement projects identified in the Class Environmental Studies, supporting all 31 Basement Flooding Study Areas; and the total implementation cost estimates will be refined once Class Environmental Assessments are completed for 23 of the 31 Basement Flooding Study Areas, expected by mid 2009; and incorporated in Toronto Water's forthcoming 2010-2014 Capital Plan and Forecast submissions.

The financial impact associated with the City's disconnection of downspouts of the estimated 37,600 properties whose owners applied to the City's former Voluntary Downspout

Disconnection Program, in accordance with the Council Decision of November, 2007, has been estimated to be \$41.0 million for capital over an eight year period from 2008 to 2016. This represents an increase of \$26.2 million to funding levels approved within Toronto Water's 2008 to 2017 Capital Plan.

A permanent increase is required in Toronto Water's annual Operating Budget of an estimated \$548,000 for 5 professional/technical staff in Toronto Water; and there will be an impact of \$113,900 per year to Toronto Water's annual Capital Budget which will provide the required funding to support one (1) professional/technical staff in the Parks, Forestry and Recreation Services Division's Operating Budget, for the design and construction of basement flooding protection works.

A permanent increase is required in Toronto Water's annual Operating Budget of an estimated \$1,478,052 for 16 technical, clerical and financial control staff to support the disconnection of downspouts on the City's former Voluntary Downspout Disconnection Program; the expansion of the Mandatory Downspout Disconnection Program across the City; and to increase the promotion of and service the anticipated increased public demand for the City's Basement Flooding Protection Subsidy Program.

Assuming that the hiring of these staff commences on July 1, 2009, the financial impact on the 2009 and 2010 Operating Budgets is as follows:

Description	FTEs Required	2009 Budget Request	Incremental Impact on 2010 Budget	Annual Impact of Salaries*
Professional/technical staff – Basement Flooding Remediation Work Plan	5	\$ 274,155	\$ 274,155	\$ 548,310
Inspectors for Mandatory Downspout Disconnection, including Contract Administration	11	\$ 676,647	\$ 503,647	\$ 1,007,294
Subsidy and/or Grant Administration Program Support	5	\$ 235,379	\$ 235,379	\$ 470,758

\* based on 2009 estimated salaries

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

## Summary

This report summarizes the results of the engineering analysis, completed to date of the first four of 31 Basement Flooding Study Areas in accordance with the Basement Flooding Work Plan approved by Council in April 2006; and proposes an adaptive management strategy to help reduce the risk of basement flooding, on a City-wide basis. This report also provides an update on the financial implications and estimated time required to process all of the applications received under the former Voluntary Downspout Disconnection Program.

**ommunications**

(September 2, 2008) letter from Matilda Meneses, Alex & Beng Yongca, Lucia & Carlos Rodas (EX.Main.Ex23.16.1)

**Speakers**

Mr. Dinis Correia

Ms. Maria Almeida

Mr. Mitch Guimaraes

Mr. Byron Paz

Councillor Cliff Jenkins, Ward 25, Don Valley West

Councillor Cesar Palacio, Ward 17, Davenport

Councillor David Shiner, Ward 24, Willowdale

**Committee Recommendations**

The Executive Committee recommends that:

1. Subject to the adoption of Recommendation 2 and the conditions set out therein, the implementation of City sewer infrastructure improvement projects that result from the various Municipal Class Environmental Assessments (the “Environmental Assessments”) undertaken to address basement flooding in the 31 Basement Flooding Study Areas, as identified in the Basement Flooding Work Plan, be prioritized as follows:
  - a. City sanitary sewer improvement projects are to be given the highest priority for implementation;
  - b. City storm drainage system improvement projects are to be implemented in the following order of priority based on a consideration of the total number of benefiting properties and the estimated cost of the work to the City apportioned to each property as determined by and in the sole discretion of the General Manager, Toronto Water:
    - i. Improvement projects where the cost of the work to the City apportioned to each benefiting property is estimated to be \$25,000 or less, and prioritized, from highest to lowest, based on the greater number of benefiting properties involved; and
    - ii. Improvement projects where the cost of the work to the City apportioned to each benefiting property is estimated to be greater than \$25,000; provided that given the significantly higher cost of these improvement projects, are to be implemented only as appropriate funding opportunities are available, as determined by the General Manager of Toronto Water, through other City infrastructure renewal programs such as Toronto Water’s Sewer Rehabilitation and Reconstruction Program and Transportation Service’s Road Reconstruction Program; or should third party funding which reduces materially the City’s cost per benefiting property;

2. The General Manager, Toronto Water, include the works identified in Recommendation 1 into the forthcoming Toronto Water 2009-2013 Capital Plan; and implement the works subject to satisfactory completion of the Municipal Class Environmental Assessments corresponding to the works, and Council's approval of Toronto Water's proposed 2009-2013 Capital Plan;
3. The General Manager, Toronto Water, in developing the annual multi-year Sewer Rehabilitation and Reconstruction Program:
  - a. reassess the list of projects compiled, as Class Environmental Assessment Projects are completed in other Basement Flooding Study Areas, and prioritize the implementation of projects, across all Basement Flooding Study Areas combined, in accordance with the criteria contained in Recommendation 1; and
  - b. identify emerging basement flooding prone areas; and undertake Class Environmental Assessment Studies, as may be necessary, incorporating the level of protection, consistent with that applied for the current 31 Basement Flooding Study Areas, to help mitigate the impacts of basement flooding, in support of the City's Climate Change Adaptation Strategy, representing:
    - i. a storm event equivalent to the May 12, 2000 storm (i.e. equivalent to a storm event with a return frequency of between one in 25 to one in 50 years) for the sanitary sewer system design; and
    - ii. the 100 year storm event for the storm drainage system, where feasible, where a proper major (overland flow) drainage system does not exist;
4. The Municipal Code Chapter 681, Sewers be amended such that:
  - a. The connection of downspouts to storm sewers in the Basement Flooding Study Areas, as identified on the map attached as Attachment 1 of this Report, is prohibited;
  - b. The amendment in Recommendation 4 a) shall come into force five years from the date of its enactment;
  - c. The connection of downspouts to storm sewers in any areas of the City, not previously prohibited under Municipal Code Chapter 681, Sewers, as at the effective date of this recommendation, is prohibited;
  - d. The amendment in Recommendation 4 c) shall come into force eight years from the date of its enactment;
  - e. The General Manager, Toronto Water, be authorized to exempt properties from the prohibition set out in Recommendations 4 a) and c) where the General Manager, in the General Manager's sole discretion, determines that, in respect of the property, the disconnection of the downspout or downspouts would create a hazardous condition or is not technically feasible.

5. Authority be granted to the City Solicitor to submit any Bills required to enact the amendments to Municipal Code Chapter 681, Sewers, proposed in Recommendation 4 of this Report, subject to any necessary refinements, including stylistic, format and organization, as may be identified by the City Solicitor and General Manager, Toronto Water;
6. Due to the forecasted length of time required for the City to process and implement all of the applications received under the former Voluntary Downspout Disconnection Program, the General Manager, Toronto Water, enhance the Voluntary Downspout Disconnection Program by allowing eligible property owners on the existing waiting list to opt out of the existing City-performed program and disconnect their downspout(s) themselves; and where an eligible property owner does so, the City will reimburse the property owner for the reasonable cost of labour and materials for completing the eligible work to an upset limit of \$500.00 per property, provided that:
  - a. The property owner submits, to the City's Toronto Water, Business Operations Management office, a completed and compliant application form, together with all invoices and other supporting information substantiating the completion of the work and costs of same;
  - b. The completed application form and all required supporting documentation is received by Toronto Water, Business Operations Management office, within one year of the work being completed;
  - c. The property owner assumes all responsibility for the work, including installation, performance, maintenance, repair and use, and any other financial responsibility; and
  - d. The City reserves the right to conduct an inspection of the completed work, should it be deemed necessary, to ensure compliance with City requirements.
7. The General Manager, Toronto Water, develop and employ an extensive communication and public education program to inform homeowners and contractors about:
  - a. climate change impacts, associated with intense storms, related to basement flooding;
  - b. the importance of downspout disconnection and "home isolation" consisting of the installation of sewer backwater valves and the capping off of storm sewer laterals with the installation of a sump pump to help prevent basement flooding;
  - c. the importance of other lot level controls (e.g. proper lot grading); and
  - d. the City's Basement Flooding Protection Subsidy Program;

- e. the enhanced Voluntary Downspout Disconnection Program whereby residents can complete the work themselves and be reimbursed for labour and materials up to \$500.
  - f. the importance of tree planting and maintenance on private property. (**Motion by Councillor Glenn De Baeremaeker.**)
8. The Basement Flooding Protection Subsidy Program be amended such that:
    - a. No subsidy will be provided for downspout disconnection; and
    - b. The maximum total, per property, subsidy available under the program remain at \$3,200 by increasing the subsidy provided for sewer backwater valves and sump pumps by \$250 each, to an upset limit of \$1,250 and \$1,750 respectively;
  9. The General Manager, Toronto Water include an increase of 5 permanent professional/technical staff to provide technical support for the design and construction of the improvement works associated with Recommendations 1 and 3, in Toronto Water's Recommended 2009 Operating Budget;
  10. The Acting General Manager, Parks, Forestry and Recreation include an increase of one permanent professional/technical staff to support the design and construction of the improvement works associated with Recommendation 1 and 3, in the forthcoming 2009 Parks, Forestry and Recreation Operating Budget;
  11. The General Manager, Toronto Water include an increase of 16 permanent technical and clerical staff to support servicing of the disconnection of downspouts for eligible properties included in the City's former Voluntary Downspout Disconnection Program; the expansion, City-wide, of the Mandatory Downspout Disconnection Program; and the promotion of and service in anticipation of increased public demand for the Basement Flooding Protection Subsidy Program;
  12. The General Manager, Toronto Water, report to Budget Committee on the cost estimate and schedule for the implementation of the capital works necessary to provide basement flooding relief across the 31 Basement Flooding Study Areas, with the submission of Toronto Water's proposed 2010-2014 Capital Budget;
  13. The whole City be declared at risk of basement flooding in the event of unusually severe or extreme precipitation, and the Chief Building Official, in collaboration with the General Manager, Toronto Water, the Chief Planner, the Executive Director of Municipal Licensing & Standards, and the City Solicitor, in accordance with the Ontario Building Code, require any applicant of a Plumbing Permit related to the sewer drain where there is a below grade living area anywhere in the City of Toronto to install a backwater valve on their sanitary sewer lateral;
  14. The Chief Planner and Executive Director of City Planning, in consultation with the General Manager, Toronto Water, the Chief Building Official and the City Solicitor, prepare zoning regulations, in his report on the new Zoning Bylaw, that prohibit the

construction of any new reverse sloped and below grade driveways and that pending the Zoning Amendments, the Chief Planner and Executive Director, City Planning, in consultation with the General Manager, Toronto Water, inform and educate all Committee of Adjustment Panels as to the significant impact of approving variances that permit reverse slope driveways; **(Motion by Councillor Moscoe.)**

15. The Executive Director of Municipal Licensing & Standards, in consultation with the General Manager, Toronto Water, the Chief Building Official and the City Solicitor, report on any appropriate amendments to the Property Standards Bylaw to create consistency with any proposed zoning bylaw changes respecting reverse sloped driveways; and
16. The Chief Planner and Executive Director of City Planning, in consultation with the General Manager, Toronto Water, the Chief Building Official and the City Solicitor, consider zoning regulations, in his report on the new Zoning Bylaw, that prohibit the construction of any new reverse sloped and below grade driveways and that, in the interim, the General Manager, Toronto Water and the Chief Planner and Executive Director, City Planning, be requested to submit a report to the November 13, 2008 meeting of the Planning and Growth Management Committee on possible other joint measures of the Toronto Water and Planning Divisions to give equivalent effect to this recommendation in the period prior to consideration of the new Zoning By-law. **(Motion by Councillor Moscoe.)**
17. The Chief Building Official, in consultation with the Chief Planner and Executive Director, City Planning and the General Manager, Toronto Water, develop internal procedures and policy amendments that make it easier for residents with reverse slope driveways to obtain permits to fill in those driveways. **(Motion by Councillor Moscoe.)**
18. The General Manager, Toronto Water:
  - I. Include in study areas all non-structural methods of eliminating flooding through decreased water flow including:
    - i. Opportunities for porous pavement and porous pipes;
    - ii. Eliminating new front yard parking and replacing all impervious surfaces in existing legal pads;
    - iii. French drains for residential as well as city Right of ways - and to look at positive experiences such as that of the progressive planning in Ucluelet;
  - II. report back on:
    - i. further options to assist with downspout disconnection in the mandatory areas;
    - ii. the percentage of impervious surface that exist in the study areas; and

- iii. in conjunction with TEO, the possibility of a Neighbourhood Catch Basin Clean Up program modelled after programs such as Neighbourhood Watch and the Block Parent. **(Motion by Councillor Fletcher.)**

19. The appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

### **Decision Advice and Other Information**

The Executive Committee:

1. referred the following motion by Councillor DeBaeremaeker, on behalf of Councillor Palacio, to the Public Works and Infrastructure Committee for consideration:

“That:

- I. Recommendation 15 contained in the report (August 18, 2008) from the General Manager, Toronto Water, be amended to read as follows:

“15. The Executive Director of Municipal Licensing & Standards, in consultation with the General Manager, Toronto Water, the Chief Building Official and the City Solicitor, report on any appropriate amendments to the Property Standards Bylaw to create consistency with any proposed zoning bylaw changes respecting reverse sloped driveways and that this report include recommendations regarding the removal of existing reversed sloped driveways, particularly incentives for their removal at the homeowner’s expense in consultation with the General Manager of Transportation; and

- II. City Council also adopt the following recommendations:

1. catch basins on Nairn Avenue, Harvie Avenue and Chudleigh Road be cleaned at all times;
2. applications filed for the City’s Basement Flooding Protection Subsidy Program in Study Area No. 3 be processed as soon as possible to help guard against basement flooding, such as backflow prevention valves;
3. Toronto Water Officials be requested to expedite the environmental assessment process by scheduling the required Environment Assessment Public Meeting at the earliest possible time, in the affected Study Area No. 3;
4. combined sewer system to be flushed down constantly, road to be swept and washed to avoid accumulation of construction and leaf debris that block catch basins;



5. holding tanks to be vacuumed constantly and vacuum equipment to be on standby, whenever rainstorms are forecasted;
  6. residents be encouraged to apply for the Back Flow Prevention Program;
- III. in the terms of the process by which the combined sewer projects will be prioritized, what is being approved is a guideline that will be executed at the sole discretion of the General Manager, Toronto Water. **(Motion by Councillor Glenn De Baeremaeker on behalf of Councillor Palacio.)**
2. referred the following motion to the General Manager, Toronto Water, for a report directly to Council for its meeting to be held on September 24, 2008.

Moved by Councillor Mammoliti:

“That for residents who have experienced basement flooding one or more times, a temporary emergency telephone number, until the 311 line is available, be provided in the Toronto Water Division to deal with any concerns or emergency flooding issues; and further, that Toronto Water be requested to create a public relations policy to deal with problems resulting from floodings and report thereon to Council on that policy, through the Executive Committee.” **(Motion by Councillor Shelley Carroll.)**

Mr. Lou Di Gironimo, General Manager, Toronto Water, provided a presentation to the Executive Committee on the Engineering Review addressing Basement Flooding and submitted a copy of his presentation material.

### **Motions**

*Motion to Refer Item moved by Councillor Shelley Carroll (Carried)*  
Request for report directly to Council.

*Motion to Amend Item (Additional) moved by Councillor Glenn De Baeremaeker (Carried)*  
Recommendation 7. f.

Motion to Amend Item (Additional) moved by Councillor Glenn De Baeremaeker **(Out of Order)** Given that this motion would require re-opening of a previous Council decision.

“That recommendation 4. be amended by adding thereto the following:

- “f. that the previously approved deadline to implement the Mandatory Downspout Disconnection Program in the Combined Sewer Area of the City be extended by one additional year, becoming effective November 20, 2011.”

*Motion to Amend Item moved by Councillor Glenn De Baeremaeker (Carried)*  
On behalf of Councillor Palacio.

Referral of Councillor De Baeremaeker’s motion, on behalf of Councillor Palacio, to the Public

Works and Infrastructure Committee for consideration.

*Motion to Amend Item moved by Councillor Howard Moscoe (Carried)*

Recommendations 14. and 16.

*Motion to Amend Item (Additional) moved by Councillor Howard Moscoe (Carried)*

Recommendation 17.

*Motion to Amend Item (Additional) moved by Councillor Paula Fletcher (Carried)*

Recommendation 18.

### **Links to Background Information**

Update on the Engineering Review Addressing Basement Flooding

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15074.pdf>)

EX23.17	Information	Received		
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### **Toronto Police Service – Feasibility of Broadening the Use of the Hand-Held Parking Devices**

(May 5, 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 City of Toronto - Executive Committee and the City of Toronto - Budget Committee with the Toronto Police Service's report on the feasibility of broadening the use of the hand-held parking devices.

#### **Decision Advice and Other Information**

The Executive Committee received, for information, the report (May 5, 2008) from the Chair, Toronto Police Services Board, entitled "Toronto Police Service – Feasibility of Broadening the Use of the Hand-Held Parking Devices".

#### **Motions**

*Motion to Receive Item moved by Councillor Howard Moscoe (Carried)*

### **Links to Background Information**

Toronto Police Service - Feasibility of Broadening the Use of the Hand-Held Parking Devices

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-14538.pdf>)

EX23.18	Information	Received		
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### **Toronto Police Service – Paid Duty and Special Events Requirements, Practices and Impacts**

(May 5, 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 City of Toronto - Executive Committee with the Toronto Police Service's report on paid duty and special events requirements, practices and impacts.

#### **Decision Advice and Other Information**

The Executive Committee received, for information, the report (May 5, 2008) from the Chair, Toronto Police Services Board, entitled "Toronto Police Service – Paid Duty and Special Events Requirements, Practices and Impacts".

#### **Motions**

*Motion to Receive Item moved by Councillor Howard Moscoe (Carried)*

#### **Links to Background Information**

Toronto Police Service - Paid Duty and Special Events Requirements, Practices and Impacts  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-14536.pdf>

EX23.19	Information	Received		
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### **Toronto Police Service – 2007 Annual Report**

(July 21, 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 City of Toronto - Executive Committee with the 2007 Annual Report of the Toronto Police Service.

#### **Decision Advice and Other Information**

The Executive Committee received, for information, the report (July 21, 2008) from the Chair, Toronto Police Services Board, entitled "Toronto Police Service – 2007 Annual Report".

## Motions

*Motion to Receive Item moved by Councillor Gloria Lindsay Luby (Carried)*

## Links to Background Information

Toronto Police Service - 2007 Annual Report

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15075.pdf>)

Attachment 1: 2007 Annual Report

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15129.pdf>)

Attachment 2: 2007 Annual Statistical Report

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15130.pdf>)

EX23.20	ACTION	Withdrawn		
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## Implementation of the Fiscal Review Panel's Recommendation Regarding the Development of a Comprehensive Human Resources Strategy

(June 27, 2008) Member Motion from Councillor Stintz, seconded by Councillor Milczyn

## Recommendations

1. That the City Manager prepare a report to City Council, in time to be considered with the 2009 Operating budget, on how this recommendation will be implemented.

## Summary

In October 2007, as part of the compromise reached for the implementation of the Land Transfer Tax and Vehicle Registration Tax, Mayor David Miller commissioned an independent Fiscal Review Panel to investigate the operations of the City and report back in February 2008.

One of the key recommendations of the panel is that the City develop a comprehensive human resources strategy. More specifically, "The City should develop a long-term strategic human resources strategy, reflecting more internal flexibility on the part of both the City and its unions, in order to enhance the City's ability to optimally address new technologies, the education and skill levels of existing staff, the evolution of future staffing needs, continuous improvements in quality and productivity, work rules and the varying provisions of the City's labour contracts." Furthermore,

- "The City should show leadership by reviewing and reforming its current system of 'merit' pay for senior managers and staff. The existing performance 'merit' pool should not be automatic and should be checked annually against the market. Once quantum is established, there should be larger benefits for those who meet challenging targets for innovation and effectiveness, and smaller benefits for those who do not.
- The City and its unions must restrain the growth of average compensation (including benefits) in future labour contract negotiations, in line with the evolution of broad labour market averages and the City's fiscal health.

- The City should push top managers and supervisors to achieve continuous improvement targets in the performance of their divisions (reflected in cost efficiency, productivity, effectiveness and quality of service delivery), in part by utilizing existing management rights and contract provisions which commit to enhanced performance and flexibility.
- The City should emphasize and enhance internal flexibility and mobility for City workers within the overall City workforce and focus heavily on the utilization of the 6% attrition factor.
- The City should develop a strategy for systematic and comprehensive staff training and education, including more internal resources for on-the-job training and retraining, as well as joint training initiatives with City unions.
- The City must become a leader in developing safer workplaces by: working with its unions to establish and ramp up the activities of joint health and safety committees; investing in advanced ergonomic and other safety-related equipment and procedures; and building a genuine culture of ‘safety first.’”

### **Decision Advice and Other Information**

The Chair ruled Item EX23.20, entitled “Implementation of the Fiscal Review Panel’s Recommendation Regarding the Development of a Comprehensive Human Resources Strategy”, as being redundant, given that the Comprehensive Human Resources Strategy will be submitted to a future meeting of the Employee and Labour Relations Committee. The item was therefore withdrawn from the agenda.

### **Motions**

*Motion to Withdraw an Item moved by Mayor David Miller (Carried)*

The Chair ruled this item as being redundant, given that the Comprehensive Human Resources Strategy will be submitted to a future meeting of the Employee and Labour Relations Committee.

### **Links to Background Information**

Implementation of the Fiscal Review Panel's Recommendation Regarding the Development of a Comprehensive Human Resources Strategy  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15076.pdf>)

EX23.21	ACTION	Noted/Filed		
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### **Plebiscite Question on More Powers for the Mayor**

(June 27, 2008) Member Motion from Councillor Lee, seconded by Councillor Walker

#### **Recommendations**

1. That Toronto City Council commit to holding a City-wide plebiscite on whether to support increasing the clearly defined powers delegated to the Office of Mayor of the City of Toronto.
2. That Toronto City Council petition the provincial government (Minister of Municipal Affairs and Housing) to place a plebiscite question seeking public input and public consent regarding the powers delegated to the Office of Mayor of the City of Toronto on the ballot of the November 13, 2010 Municipal Election and City staff conduct a comprehensive, City-wide public education campaign regarding this question.
3. That the appropriate City officials be requested to take any action necessary to give effect to the foregoing, including the introduction in Council of any Bills that may be required.

#### **Financial Impact**

Council also considered a Financial Impact Statement (June 24, 2008) from the Deputy City Manager and Chief Financial Officer.

#### **Summary**

Gathering public opinion via plebiscite furthers open and transparent government. The current administration of City Council, lead by the Mayor, says it prides itself on upholding the principles of transparency and accountability.

Many world class Cities hold plebiscites regularly on issues of importance to their citizens.

The cost of a plebiscite can be minimized when conducted simultaneously with a scheduled election. Toronto has a scheduled Municipal Election in November 2010.

The most important and pressing issue of this term of City Council is whether the powers delegated to the Office of Mayor should be increased. The public discussion on this issue was not generated by the public and the idea did not originate from the public; it has been generated by the Mayor himself, the Premier of Ontario, members of the Executive Committee and members of various hand-picked, blue-ribbon panels.

If more power is delegated to the Office of Mayor, all residents and all taxpayers in Toronto will be directly affected by unilateral decisions the Mayor makes on such issues as new taxes; his Executive Committee meeting and voting in private; personally hiring and firing senior bureaucrats; further control on budget issues; \$30,000 extra-pay for his Executive Committee members; and so on, instead of City Council making the decision as a whole. This change would be a drastic re-definition of local democracy as Torontonians know it and have come to

rely on.

Since the position of Mayor is elected at-large (City-wide), this is an issue of importance for every citizen of Toronto. Therefore, the question of the Mayor's additional powers needs to be put to the people for their decision. The best way to gather City-wide public opinion on this issue is via a plebiscite question on the election ballot for the upcoming 2010 Municipal Election in Toronto.

### Speakers

Councillor Michael Walker, Ward 22, St. Paul's

### Decision Advice and Other Information

The Executive Committee noted and filed the Member Motion (June 27, 2008) by Councillor Lee, seconded by Councillor Walker, entitled "Plebiscite Question on More Powers for the Mayor".

### Motions

*Motion to Take Note and File moved by Councillor Howard Moscoe (Carried)*

### Links to Background Information

Plebiscite Question on More Powers for the Mayor

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15077.pdf>

EX23.22	ACTION	Deferred		
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### Rogers Cable Broadcast of Toronto Executive Committee Meetings on Community Access "Channel 10"

(June 27, 2008) Member Motion from Councillor Walker, seconded by Councillor Stintz

### Recommendations

1. That City Council request Rogers Cable Channel "10" to broadcast all meetings of the Executive Committee to further meet Rogers Cable's requirement for community programming.

### Summary

Rogers Cable has broadcast television coverage of meetings of City Council on their Community Channel "10" for many years now. This broadcast increases access to the democratic process at City Hall for the general public. This broadcast also meets Rogers Cable's requirement to provide community access programming to the general public.

This television coverage on Channel "10" reaches a population who does not use the internet for their information gathering. Many residents have come to rely on this television coverage to observe the democratic process at work, in real time.

The operation of City Council has changed in the last two years. Now, since the implementation of the new governance structure and the creation of the Executive Committee, much of the policy discussions do not occur at City Council. Presently, the Executive Committee is the de facto City Council because it is the forum for discussion of policy and whatever the Executive Committee adopts goes through City Council with little discussion or amendment.

Since the Executive Committee is so important to the new City Council governance process, the general public needs to have broad access to monitor it, as it has been monitoring City Council. Therefore, Rogers Cable should include broadcast of the Executive Committee in its monthly programming schedule for its Community Access Channel “10”.

### Speakers

Councillor Michael Walker, Ward 22, St. Paul’s

### Decision Advice and Other Information

The Executive Committee deferred consideration of the Member Motion (June 27, 2008) by Councillor Walker, seconded by Councillor Stintz, entitled “Rogers Cable Broadcast of Toronto Executive Committee Meetings on Community Access “Channel 10”, until such time as the full implementation of the 3-1-1 Customer Service Initiative.

### Motions

*Motion to Defer Item moved by Mayor David Miller (Carried)*

### Links to Background Information

Rogers Cable Broadcast of Toronto Executive Committee Meetings on Community Access “Channel 10”  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15078.pdf>

EX23.23	ACTION	Referred		
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### City Council Endorsement of One Cent Now Campaign

(June 27, 2008) Member Motion from Councillor Walker, seconded by Councillor Cho

### Recommendations

1. That City Council endorse Mayor David Miller’s “One Cent Now” campaign.
2. That this Resolution be forwarded to the Prime Minister of Canada and all the members of the House of Commons and the Senate.



## Summary

In February 2007, Mayor Miller embarked upon the “One Cent Now” campaign to convince the Federal government to give municipalities 1-cent (20% of GST total revenues) of the 5-cent Goods and Services Tax (GST). This campaign apparently originated in Mayor Miller’s office and City Council was not involved in its development or approval.

The “One Cent Now” ([www.onecentnow.ca](http://www.onecentnow.ca)) campaign seeks a new, better fiscal relationship between Cities, especially the City of Toronto, and the Federal government. A new relationship is now required due to Toronto's and other Cities' growing infrastructure deficit, need for sustainable funding for public transportation, and other City-wide initiatives.

It is now almost a year and half into this campaign. The Federal government has not recognized the requests made by Mayor Miller via this campaign.

To aid this campaign, it would be useful to give City Council's endorsement to this campaign. A strong endorsement by City Council would show the Federal government that this is not a unilateral campaign of the Mayor’s but is a serious request from the City of Toronto, Canada’s largest city.

## Speakers

Councillor Michael Walker, Ward 22, St. Paul’s

## Decision Advice and Other Information

The Executive Committee referred the Member Motion (June 27, 2008) by Councillor Walker, seconded by Councillor Cho, entitled “City Council Endorsement of One Cent Now Campaign”, to the Office of the Mayor for appropriate action.

## Motions

*Motion to Refer Item moved by Councillor Joe Mihevc (Carried)*

## Links to Background Information

City Council Endorsement of One Cent Now Campaign  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15079.pdf>

EX23.24	ACTION	Adopted		
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## City Council Request the Provincial Government to Support Tenants: Bring Back Real Rent Control and Eliminate Vacancy Decontrol

(July 23, 2008) Member Motion from Councillor Walker, seconded by Councillor Nunziata

## Recommendations

1. That City Council urgently petition the McGuinty Liberal Provincial government to amend the Residential Tenancies Act to restore real rent control and eliminate vacancy decontrol.

## Summary

Over half of the residents of Toronto are tenants. Well over half of those residents live in affordable rental units. For the last ten to fifteen years, there has been a steady reduction in the number of affordable rental units in Toronto because of demolition or conversion to condominium of such units, and these lost affordable rental units are not being replaced in new developments.

The new Provincial Residential Tenancies Act came into effect on January 31, 2007. This Act replaced Premier Harris' Tenant Protection Act which was so detrimental to the lives of many tenants for so long. The cost of renting an apartment in Toronto increased immensely under the old Tenant Protection Act and, unfortunately, the cost continues to rise under the new Residential Tenancies Act.

Between 1999 and 2006, Toronto City Council adopted many policy recommendations that were forwarded to the Provincial government to be used in the creation of new legislation to govern the rights of tenants and landlords, the new Residential Tenancies Act. Also, City staff took part in consultations to guide the formulation of the new legislation. Unfortunately, the new legislation from the current Provincial government does not include key elements of reform. It does not fulfill Premier McGuinty's 2003 promise to bring back "real rent control", nor does it eliminate "Vacancy Decontrol". The absence of these key elements of reform will become more evident and biting for Toronto's tenants, as the coming recession intensifies and their rental units become even more unaffordable because the legislation fails to protect affordability.

Vacancy Decontrol allows the landlord to raise the rent on a unit once a tenant has left that unit. The landlord is free to raise the rent as high as market forces will bear. The failure of the Provincial government to eliminate Vacancy Decontrol impacts the rental cost of an apartment by eroding its affordability. If the cost of rental housing is not protected as affordable, choice of and access to housing for many people living in Toronto will be effectively withdrawn and neighbourhoods will become even more separated by income. Without the elimination of Vacancy Decontrol, we don't have real rent control and the Premier has broken his promise made in August 2003:

"I want to be clear about our plan for Rent Control. We will repeal the Harris-Eves government's Tenant Protection Act and we will bring back 'real Rent Control' that protects tenants from excessive rent increases. We will get rid of vacancy decontrol which allows unlimited rent increases on a unit when a tenant leaves." - Dalton McGuinty, August 2003.

The time is now for the McGuinty Liberal Provincial government to atone for failing to meet its promise to tenants across this Province – to restore real rent control.

## Speakers

Councillor Michael Walker, Ward 22, St. Paul's

## Committee Recommendations

The Executive Committee recommends that:

1. City Council urgently petition the McGuinty Liberal Provincial government to amend the Residential Tenancies Act to restore real rent control and eliminate vacancy decontrol.

## Motions

*Motion to Adopt Item moved by Councillor Joe Mihevc (Carried)*

## Links to Background Information

City Council Request the Provincial Government to Support Tenants: Bring Back Real Rent Control and Eliminate Vacancy Decontrol  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15080.pdf>)

EX23.25	ACTION	Adopted		
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## Professional Development Days for City Staff

(July 23, 2008) Member Motion from Councillor Ootes, seconded by Councillor Stintz

## Recommendations

1. That the City Manager, in conjunction with the Deputy City Managers, Division Heads and Managers, be directed to ensure that all professional development activities for staff are conducted in a manner that does not negatively impact on the Corporation's services to the public and that, wherever possible, the activities take place outside of regular business hours.

## Summary

Professional Development Days can be useful for staff development but they should not inconvenience the public.

On May 23, 2008, the City Manager, the Mayor and all Councillors received a memorandum from Bruce Robertson, Director, Licensing Services, Municipal Licensing and Standards. The memo stated, in part "The Licence and Permit Issuing Office at 850 Coxwell Avenue will be closed to the public on Thursday, May 29, 2008, due to a Professional Development Day activity for all staff - Regular service to the public will resume at 8:15 a.m. on Friday, May 30, 2008."

Staff development activities should be scheduled so that services to the public are not disrupted. Such activities could take place during the evening or on weekends.

### Decision Advice and Other Information

The Executive Committee directed the City Manager, in conjunction with the Deputy City Managers, Division Heads and Managers, to ensure that all professional development activities for staff are conducted in a manner that does not negatively impact on the Corporation's services to the public and that, wherever possible, the activities take place outside of regular business hours.

### Motions

*Motion to Adopt Item moved by Mayor David Miller (Carried)*

### Links to Background Information

Professional Development Days for City Staff

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15081.pdf>

EX23.26	ACTION	Referred		
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### City Council Request the Province of Ontario to Abolish the Ontario Municipal Board

(July 23, 2008) Member Motion from Councillor Walker, seconded Councillor Jenkins

### Recommendations

1. That City Council immediately and aggressively request the Province of Ontario to remove the City of Toronto from the jurisdiction of the Ontario Municipal Board, thereby allowing appeals of City of Toronto planning decisions only through the Divisional Court or the Provincial Cabinet.

### Summary

There is no government agency so consistently reviled by residents of the City of Toronto as the un-elected Ontario Municipal Board (OMB). Every neighbourhood in this City has been affected by an OMB decision made against the City's wishes. From Committee of Adjustment minor variance appeals to major Official Plan and Zoning By-law Amendments, the OMB is increasingly dictating how our City is planned and adversely affecting our residents throughout the process. The City of Toronto ought to be free of the OMB.

The OMB is ruling against the City more than it ever has before. The magnitude and frequency of the amendments to Zoning By-laws and the Official Plan is increasing (though under the new Official Plan the need for amendments is inherently reduced by the vague malleability of the document). This is not only due to the Provincial Policy Statement and Places to Grow Act's push of 'Intensification' (the requirement that our City must aggressively build to

accommodate a million more residents in 20 years time) – it's the Ontario Municipal Board. The City of Toronto could adhere to that Provincial Policy Statement adequately without the OMB, if Council only had the autonomy to tell applicants (developers) when and where they can develop, and by staying principled and consistent to our Official Plan and Zoning By-laws while ensuring adequate infrastructure planning able to accommodate this growth.

The OMB ought to be abolished for at least the City of Toronto, which has a large and sophisticated multi-million dollar Planning Division administration supporting it. By comparison, the second-guessing OMB has only a few staff members to support its decisions.

The existence of the OMB reduces Planning decisions to a bargaining exercise between what a developer proposes and what concessions City Council feels are necessary to ensure the developer does not go to the OMB. Provincial planning documents are used to justify almost any size of development, almost anywhere. Speculation on properties is on the rise because there is a pattern of developing to double, triple and quadruple what the Zoning By-law allows. It adds up to a loss of control over the growth, stability and the health of our neighbourhoods. To stop this pattern, accountability for planning decisions must rest solely with elected officials.

Residents feel the impact of these new developments incrementally diminishing their quality of life. Residents want Council's planning decisions to matter and be final. Residents know that planning decisions must not be made ad hoc or in isolation from the existing context of the development site's neighbourhood. The accumulated effect of developments on our quality of life and our infrastructure over time must be paramount. Residents know that our infrastructure (transit, schools, community centres, roads, water system, etc.) built years ago cannot sustain us today, let alone in the future.

Furthermore, residents have spent millions of after-tax dollars on unsuccessful OMB appeals in the last ten years. Unlike the developer applicant who incorporates the cost of an appeal into the project cost, residents must fund-raise in the neighbourhood to support an appeal at the OMB. This is the most glaring example of the uneven playing field at the OMB. A residents' group should not have to spend \$100,000.00 to essentially defend, in most cases, the City's position at the OMB.

The Ontario Municipal Board drains the City's resources by occupying our Planning (OMB appeals occupied nearly 2000 staff hours/280 staff days in 2006 and even more in 2007) and Legal Divisions and City Council debate, not to mention our residents' and ratepayers' resources. The OMB puts our focus toward hopeless legal battles over a building that will have a part in shaping our City for the next 50-100 years. In 2005, the City won only 34% of appeal cases at the OMB.

OMB decisions have more impact on our City's long-term sustainability than any other force. The OMB's decisions affect the way our City breathes, moves and lives for the next 50-100 years. City Council needs to stand up against the existence of the Ontario Municipal Board once and for all.

There is nothing democratic about the OMB and the citizens of Toronto want us to remove its shadow from our planning decisions. We, the Members of City Council, as the citizens' local representatives, must do all we can to pressure the Provincial government to remove the OMB's detrimental influence on the growth of Toronto and its neighbourhoods.

### **Speakers**

Councillor Cliff Jenkins, Ward 25, Don Valley West

Councillor Michael Walker, Ward 22, St. Paul's

### **Decision Advice and Other Information**

The Executive Committee referred:

1. the Member Motion (July 23, 2008) by Councillor Walker, seconded by Councillor Jenkins, to the Chief Planner and Executive Director, City Planning, for a report to the Executive Committee; and
2. referred the following motion to the Chief Planner and Executive Director, City Planning for consideration:

Moved by Councillor Fletcher

“That the Executive Committee request the Chief Planner and Executive Director, City Planning and the City Solicitor to:

- i. provide, to the Planning and Growth Management Committee, an analysis of OMB decisions in OP and re-Zoning application appeals with respect to their accordance with the City's OP policies; and
- ii. Expedite the Committee of Adjustment review which is currently underway.”

### **Motions**

*Motion to Refer Item moved by Councillor Shelley Carroll (Carried)*

Referral of Motion.

### **Links to Background Information**

City Council Request the Province of Ontario to Abolish the Ontario Municipal Board  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15082.pdf>)

EX23.27	ACTION	Referred		
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## **Implementation of the Fiscal Review Panel’s Recommendation Regarding the Systematic Review of the City’s Capital Assets**

(July 23, 2008) Member Motion from Councillor Stintz, seconded by Councillor Parker

### **Recommendations**

1. That the City Manager and the Deputy City Manager and Chief Financial Officer prepare a report to City Council on how this recommendation will be implemented.

### **Summary**

In October 2007, as part of the compromise reached for the implementation of the Land Transfer Tax and Vehicle Registration Tax, Mayor David Miller commissioned an independent Fiscal Review Panel to investigate the operations of the City and report back in February 2008.

One of the key recommendations of the panel is that the City systematically review its Capital assets. More specifically, “The Mayor and the Executive Committee must re-examine the City’s asset and debt management strategies to ensure that its capital is invested in areas that meet the City’s long term goals and needs, and that it is receiving an adequate return on its investments. An immediate focus should be placed on its major capital assets, including: Toronto Hydro, the Toronto Parking Authority, Enwave, the Gardiner Expressway and Don Valley Parkway, and real estate holdings as mentioned in other recommendations.”  
Furthermore,

- “The Mayor and Council should study the current City policies and practices on debt management, debt service payments (depreciation schedules, etc.) and capital asset management, including those related to the ABCCs.
- The Mayor and Council should evaluate all options for maximizing the financial value of the City’s major capital assets consistent with public policy objectives identified by Council, with an immediate emphasis on those mentioned above.
- To maximize the net proceeds of the above, if appropriate, the City should urge the federal government, the Province, and the Ontario Energy Board to coordinate legislation and policies to facilitate the transfer of such assets, including the review of the 33% transfer tax and the possible reintroduction of the Public Utility Income Tax Transfer Act.
- The Mayor and Council should adopt a policy to ensure that the proceeds from these initiatives be used directly to reduce existing debt and/or offset future needed borrowing.
- The City should review potential partnerships with outside stakeholders that can assist the City in getting a better return on its investments. This process should engage the private sector, Pension Funds, and the leadership of various ABCCs, among others.”

In light of these recommendations, the proceeds from the recent sale of Toronto Hydro Telecom should have been considered for debt reduction. The Auditor General has recently commented on the City's escalating debt and the impacts of servicing the debt on the operating budget.

### Decision Advice and Other Information

The Executive Committee referred the Member Motion (July 23, 2008) by Councillor Stintz, seconded by Councillor Parker, to the Office of the Mayor for consideration.

### Motions

*Motion to Refer Item moved by Councillor Joe Mihevc (Carried)*

### Links to Background Information

Implementation of the Fiscal Review Panel's Recommendation Regarding the Systematic Review of the City's Capital Assets

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15083.pdf>

EX23.28	ACTION	Amended		Ward: All
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### Request for Authorization to Negotiate and Enter into Funding Agreements with Metrolinx

(August 25, 2008) Report from the Director, Toronto Environment Office

### Recommendations

The Director of the Toronto Environment Office recommends that:

1. City Council authorize and direct the appropriate City officials to execute a funding agreement with the Greater Toronto Transportation Authority ("Metrolinx") for 2008, substantially on terms and conditions contained in Appendix "A" attached, and otherwise on terms and conditions satisfactory to the Director and in a form satisfactory to the City Solicitor and Chief Financial Officer and Deputy City Manager, in order to receive funding to support the Smart Commute program; and
2. City Council grant to the appropriate City officials the standing authority to negotiate and execute future funding agreements with Metrolinx for funding related to the City's TDM and the Smart Commute program, on terms and conditions satisfactory to the Director of the Toronto Environment Office and in a form satisfactory to the City Solicitor and Chief Financial Officer and Deputy City Manager.

### Financial Impact

In its commitment to the region-wide Smart Commute Initiative, Metrolinx will match the City's funding allocation up to \$130,000 in any given provincial fiscal year. For the July 2008



to March 2009 timeframe, the City of Toronto will receive matching funds of \$80,000 for its Smart Commute program under the proposed agreement with Metrolinx, with \$50,000 funding to be utilized in 2008 and \$30,000 for the first quarter of 2009.

This funding level represents an overall \$50,000 reduction from an anticipated \$130,000 allocation but an \$80,000 reduction in the Toronto Environment Office's 2008 Operating Budget, given that it was expected that the matching funding could all be utilized in 2008. The reduced funding level will be accommodated by delaying hiring of vacant positions and deferring expenditures to 2009.

Future negotiations with Metrolinx on funding agreements will seek to secure an amount of \$130,000 per year for the City's transit demand management and Smart Commute programs.

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

### **Summary**

This report seeks authorization for staff to enter into a funding agreement with Metrolinx to support the City of Toronto's work in transportation demand management ("TDM") and, specifically, the Smart Commute program.

This report seeks further authority for the Director to negotiate and execute future funding agreements with Metrolinx to continue to support the City's TDM and the Smart Commute program.

### **Committee Recommendations**

The Executive Committee recommends that:

1. City Council authorize the Director of the Toronto Environment Office to execute a funding agreement with the Greater Toronto Transportation Authority ("Metrolinx") for 2008, substantially on terms and conditions contained in Appendix "A" attached, and otherwise on terms and conditions satisfactory to the Director of the Toronto Environment Office and Chief Financial Officer and Deputy City Manager and in a form satisfactory to the City Solicitor, in order to receive funding to support the Smart Commute program; and
2. City Council grant to the Director of the Toronto Environment Office standing authority to negotiate and execute funding agreements with Metrolinx for funding related to the City's Transportation Demand Management and the Smart Commute program, on terms and conditions satisfactory to the Director of the Toronto Environment Office and Chief Financial Officer and Deputy City Manager and in a form satisfactory to the City Solicitor.

### **Motions**

*Motion to Adopt Item as Amended moved by Deputy Mayor Joe Pantalone (Carried)*

## Links to Background Information

Request for Authorization to Negotiate and Enter into Funding Agreements with Metrolinx  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15251.pdf>

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Chair

## Meeting Sessions

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2008-09-02	Morning	11:15 AM	12:30 PM	Public
2008-09-02	Afternoon	5:55 PM	6:10 PM	Closed
2008-09-02	Evening	6:15 PM	6:40 PM	Public

## Attendance

Date and Time	Quorum	Members
2008-09-02 11:15 AM - 12:30 PM (Public Session)	Present	<i>Present:</i> Carroll, Davis, De Baeremaeker, Fletcher, Kelly, Lindsay Luby, Mammoliti, Mihevc, Miller, Moscoe, Pantalone, Rae <i>The Mayor was also present.</i> <i>Not Present:</i> McConnell <i>Also present (non-members):</i> Hall, Jenkins, Minnan-Wong, Nunziata, Palacio, Walker.
2008-09-02 5:55 PM - 6:10 PM (Closed Session)	Present	<i>Present:</i> Carroll, Davis, De Baeremaeker, Kelly, Lindsay Luby, Mammoliti, Mihevc, Miller, Moscoe, Pantalone, Rae <i>The Mayor was also present.</i> <i>Not Present:</i> Fletcher, McConnell <i>Also present (non-members):</i> Jenkins, Minnan-Wong, Walker.
2008-09-02 6:15 PM - 6:40 PM (Public Session)	Present	<i>Present:</i> Carroll, Davis, De Baeremaeker, Kelly, Lindsay Luby, Mihevc, Miller, Pantalone, Rae <i>The Mayor was also present.</i> <i>Not Present:</i> Fletcher, Mammoliti, McConnell, Moscoe <i>Also present (non-members):</i> Jenkins, Minnan-Wong, Walker.