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**ADMINISTRATION COMMITTEE  
AGENDA  
MEETING 7**

**Date of Meeting:** Monday, June 28, 2004      **Enquiry:** Christine Archibald  
**Time:** 9:30 a.m.      **Committee Administrator**  
**Location:** Committee Room 2      **416-392-7039**  
2nd Floor, City Hall      **admc@toronto.ca**  
100 Queen Street West  
Toronto

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**Under the *Municipal Act, 2001*, the Administration Committee must adopt a motion to meet in-camera (privately), and the reason must be given.**

**Declarations of Interest under the *Municipal Conflict of Interest Act***

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

10:00 a.m.      Item 1  
10:30 a.m.      Item 15  
11:00 a.m.      Item 11  
11:15 a.m.      Item 16

**1. Expropriation of a Portion of 1251 Tapscott Road - McNicoll Avenue Extension Project (Ward 42 - Scarborough-Rouge River)**

**(Deputation: 10.00 a.m.)**

**(Deferred from June 2, 2004 Administration Committee meeting)**

Communication (May 25, 2004) from the City Clerk advising that City Council at its meeting held on May 18, 19 and 20, 2004, referred Clause No. 35 of Report No. 3 of The Administration Committee, regarding "Expropriation of a Portion of 1251 Tapscott Road - McNicoll Avenue Extension Project (Ward 42 - Scarborough-Rouge River)" back to the Administration Committee for further consideration.

**1(a). Supplemental Report – Expropriation of a Portion of 1251 Tapscott Road – McNicoll Avenue Extension Project**

Confidential report (June 1, 2004) from the Commissioner of Corporate Services

**(In-camera : acquisition of land for municipal purposes)**

**1(b).** Communication (June 1, 2004) from J. Pitman Patterson, Borden Ladner Gervais, Lawyers.

**2. Declaration as Surplus - Parcels of Land Adjacent to 275 Norseman Street (Ward 5 - Etobicoke-Lakeshore)**

Report (June 10, 2004) from the Commissioner of Corporate Services declaring the two parcels of land, shown as Parts 1 and 2 on Sketch No. PS-2004-109 surplus to municipal requirements.

Recommendations:

It is recommended that:

- (1) the two parcels of land adjoining 275 Norseman Street, being part of Lot 134 on Registered Plan 9875, designated as Parts 1, 2, 3, 4, 5 and 6 on Reference Plan 64R-10836 and Part 1 on Reference Plan 64R-10303, shown as Parts 1 and 2 on Sketch No. PS-2003-109 (the "Property"), be declared surplus to the City's requirements, and the Commissioner of Corporate Services be authorized to invite an offer to purchase from the owner of 275 Norseman Street;
- (2) all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**3. Declaration as Surplus - Closed Lane - Rear of 99 Maitland Street (Ward 27 - Toronto Centre-Rosedale)**

Report (June 10, 2004) from the Commissioner of Corporate Services recommending that the closed lane at the rear of 99 Maitland Street (the "Property") be declared surplus to municipal requirements.

Recommendations:

It is recommended that:

- (1) the Property, being part of a closed public lane lying to the south of Lots 221, 222, 223, 224, 225, 226, 227 and 228 on Registered Plan 34, and designated as Part 1 on Reference Plan 63R-2188, be declared surplus to the City's requirements, subject to a temporary easement for the protection of a catch basin on the Property, and the Commissioner of Corporate Services be authorized to invite an offer to purchase from the owner of the abutting property at 99 Maitland Street, The National Ballet School, and all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and;
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**4. Declaration as Surplus - Parcel of Vacant Land Adjacent to 101 Government Road (Ward 5 - Etobicoke-Lakeshore)**

Report (June 10, 2004) from the Commissioner of Corporate Services declaring the property surplus to municipal requirements.

Recommendations:

It is recommended that:

- (1) the parcel of vacant land adjacent to 101 Government Road, being part of Lot 9, Range 1, Kingsmill Reserve, shown as Part 1 on Sketch No. PS-2003-099, be declared surplus to the City's requirements, subject to the retention of a permanent easement for overland flow purposes over the entire property, and the Commissioner of Corporate Services be authorized to invite an offer to purchase from the owner of 101 Government Road, and all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**5. Surplus Councillors' Office Furniture at former City Halls/Civic Centres**

Report (June 9, 2004) from the Commissioner of Corporate Services providing information on the availability and use of surplus councillors' office furniture at former City Halls and Civic Centres.

Recommendation:

It is recommended that this report be received for information.

**6. Request for Quotation No. 0203-04-0199 for the Supply of all Labour, Materials, Janitorial Supplies (Consumables), and Equipment necessary to provide Janitorial Services for Corporate Services Department, Facilities and Real Estate Division.**

Report (June 7, 2004) from the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer advising on the results of the Request for Quotation (RFQ) issued to provide janitorial services at the specified locations as listed in the quotation document, for the period from August 1, 2004 to July 31, 2005, with the option to renew for four (4) additional one (1) year periods for the period August 1, 2005 to July 31, 2009 respectively, under the same terms and conditions, and request the authority to issue a contract order to the recommended bidder.

Recommendations:

It is recommended that:

- (1) the quotation submitted by the lowest acceptable bidder meeting specifications, Waterford Building Maintenance Inc., be approved and accepted for a one (1) year period from August 1, 2004 to July 31, 2005 in the total amount of \$724,349.97 including all charges and applicable taxes for the supply of all labour, materials, janitorial supplies (consumables) and equipment to perform janitorial services at the specified locations listed in the quotation document;
- (2) authority be delegated to the Commissioner of Corporate Services to exercise the option to renew the contract with Waterford Building Maintenance Inc. for the four (4) additional one (1) year Janitorial Service periods from August 1, 2005 to July 31, 2006, in the estimated amount of \$732,228.60 including all charges and applicable taxes, from August 1, 2006 to July 31, 2007, in the estimated amount of \$743,496.25 including all charges and applicable taxes, from August 1 2007 to July 31, 2008, in the estimated amount of \$743,496.25 including all charges and applicable taxes, and from August 1, 2008 to July 31, 2009, in the estimated amount of \$743,496.25 including all charges and applicable taxes, and a contingency allowance of \$200,000.00 for a total of \$3,162,717.35 including all charges and applicable taxes, respectively, under the same terms, conditions, provided the supply of Janitorial Services were performed at a satisfactory level; and to instruct the Purchasing Agent to process the necessary contract for the approval for the award of the contract to Waterford Building Maintenance Inc. for the supply of all labour materials and equipment necessary to provide Janitorial Services at the specified locations listed in the quotation document for the

Facilities and Real Estate Division, subject to the budget approval for each one (1) year optional period as listed above; and

- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

**7. Provision and Implementation of a Purchasing Card Program - Request for Proposal No. 9172-04-7024**

Report (June 7, 2004) from the Chief Financial Officer and Treasurer advising on the results of Request for Proposal No. 9172-04-7024 issued for the provision and implementation of a Purchasing Card (Pcard) program.

Recommendations:

It is recommended that:

- (1) staff be authorized to negotiate and enter into an agreement with the National Bank of Canada, the highest scoring Proponent meeting the requirements for the provision and implementation of a Purchasing Card program, for a period of five years from the date of agreement; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**8. Procurement Process Review Implementation – Consolidated Report**

**(Report from the Chief Financial Officer and Treasurer is not yet available and will be included on the supplementary agenda)**

**9. Right to Reject from Procurement Awards and Redirection of Payments when Contractors are in arrears to the City for any property tax, fine, fee and other indebtedness**

Report (June 15, 2004) from the Chief Financial Officer and Treasurer permitting the City of Toronto to reserve the right to reject a bid from persons or entities that are themselves indebted to the City of Toronto or who are related to entities that are indebted to the City from being awarded contracts and to clarify to bidders that the Chief Financial Officer and Treasurer may choose to exercise the City's legal or equitable rights of set-off.

Recommendations:

It is recommended that:

- (1) Council approve the Right to Reject Policy in the form attached to this report as Appendix "A", to take effect as of August 1, 2004; and,
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**10. Authority to Renew Option Years for RFP 9138-01-7489 for the Use of Collection Agency Services to Collect Outstanding Parking Tags (Contract No. 47008940)**

Report (June 15, 2004) from the Chief Financial Officer and Treasurer providing information on the results of a one-year pilot project by which collection agency services were used in the collection of parking fines that have been outstanding for over three years, and seeking authority to exercise the option to renew this contract for an additional one-year period under the same terms and conditions with the current agency for the period ending February 8, 2005.

Recommendations:

It is recommended that:

- (1) the City exercise the option to renew the contract with Canadian Bonded Credits Ltd. for an additional one-year period under the same terms and conditions, to provide collection services for outstanding parking fines, with overall costs not to exceed \$250,000.00 including applicable taxes for the period ending February 8, 2005;
- (2) the option to renew for one (1) additional one-year period under the same terms and conditions with overall costs not to exceed \$250,000.00 including applicable taxes for the period ending February 8, 2006, be reviewed by the Chief Financial Officer in cooperation with the Purchasing Agent provided that, the collection services were performed at a satisfactory level, it is feasible to extend the contract, and that funds are available in the Finance Department Operating Budget for the renewal period ending February 8, 2006;
- (3) provided that there is a favourable review, in accordance with Recommendation (2), the Chief Financial Officer be delegated the authority to exercise the option to renew on the terms and conditions set out above and be authorized to instruct the Purchasing Agent to process the necessary contract; and

(4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

**11. Establishing a Scale of Costs for the Sale of Land for Tax Arrears under the Municipal Act, 2001**

**(Deputations: 11:00 a.m.)**

**(Report from the Chief Financial Officer and Treasurer is not yet available, and will be included on the supplementary agenda)**

**12. Feasibility of Using Fairness Commissioners/Monitors for Certain Procurements.**

**(Report from the Chief Administrative Officer is not yet available and will be included on the supplementary agenda).**

**13. Number of Spoiled Ballots in the 2003 Election and an Automatic Recount Mechanism**

Report (June 14, 2004) from the City Clerk reporting on the number of spoiled ballots in the 2003 election and an automatic trigger mechanism for recounts.

Recommendation:

It is recommended that this report be received for information.

**14. Election 2003 Report**

**(The report titled “Election 2003 Report” referred to in this report is distributed to Members of Council and key staff only with this agenda if received in time. If not, it will be distributed under separate cover.)**

Report (June 14, 2004) from the City Clerk reporting on the conduct of the 2003 municipal election and outline the actions that will be undertaken to enhance the process for the 2006 election.

Recommendation:

It is recommended that this report be received for information.

**15. Amendments to Article II, concerning Election Signs, Toronto Municipal Code - Chapter 693, Signs**

**(Deputations: 10:30 a.m.)**

Report (May 26, 2004) from the Commissioner, Urban Development Services recommending amendments to the Toronto Municipal Code - Chapter 693, Article II, concerning Election Signs.

Recommendations:

It is recommended that:

- (1) Chapter 693, of the Municipal Code, Article II, Election Signs (the 'By-law') be amended so that:
  - (a) the definition of highway be added to the By-law to clarify where election signs may be displayed;
  - (b) it is clear that election signs are not permitted anywhere on public property other than on a public highway in compliance with the By-law;
  - (c) for the purposes of the By-law, the definition of 'public property' not include any of the following: property owned by a corporation of which the City is the sole shareholder or, property owned by the City and leased under a long-term lease;
  - (d) election signs placed on bus shelters, municipal garbage containers or other structures located on the highway or other public property under the terms and conditions of an agreement with the City or one of its agencies, boards or commissions, shall be permitted, subject to compliance with the relevant agreements and other relevant portions of the By-law;
  - (e) election sign posters may be placed on public utility poles provided the placement of the posters are in accordance with the By-law;
  - (f) election signs on an illuminated billboard located on private property shall be permitted provided the billboard has been installed under the authority of a permit issued under the relevant sign by-law;



- (g) the By-law include a definition for 'campaign office' that will address the issue of the number of locations on which a candidate may post signage. Candidates for Councillor or Trustee may have only one 'campaign office' per ward, while candidates for Mayor may have no more than four 'campaign offices' for the purposes of the By-law;
- (h) a candidate may place a sign on his or her campaign office 90 days prior to the date of the election instead of the 60 days currently provided in the By-law;
- (i) directional signs intending to identify the location of a campaign office will be permitted provided they are not designed or intended to be an election sign as defined in the By-law; and that they comply with requirements of any other by-law or legislation;
- (j) election signs be permitted more than two metres above ground level on buildings and fully visible to persons outside only if they are displayed indoors;
- (k) the election sign deposit or other debt owed to the City in accordance with the By-law is only payable by cash, certified cheque or money order;
- (l) that any election sign deposit refund be returned to the person who paid the amount to the City for the purpose of a particular candidate's election sign deposit;
- (m) the definition of 'candidate' be changed so that it is no longer tied to the definition in the applicable election legislation;
- (n) a candidate shall have 30 days from the date of receiving a notice of fees due to the City for outstanding costs of removing and storing elections signs, in which to provide a sworn statement to the City Clerk in dispute of such fees;
- (o) where costs to remove election signs exceed the election sign deposit and notice has been given as currently required under the By-law, the candidate will have 30 days after the election date to pay any outstanding costs;
- (p) where a candidate has failed to pay any amount owed to the City under the By-law, and the outstanding amounts cannot be added to a candidate's tax roll, authority be granted to the City Solicitor to initiate court action to collect the outstanding amount; to appeal any decision where warranted, to discontinue or settle such claim or action where it is concluded that it is reasonable to do so and to execute any documents in furtherance thereof;

- (q) the prohibition against the use of the City logo be expanded to include all logos, trademarks or official marks owned or licensed by the City;
  - (r) the amount of the election sign deposit be increased from \$200 to \$250 and the amount of the sign removal fee be increased from \$20 to \$25;
- (2) the City request an amendment be made to the *Municipal Elections Act, 1996* in order to permit the Chief Financial Officer and Treasurer of the City to withdraw funds necessary to cover the debt from any reserve fund held in trust on behalf of the candidate, where a candidate of a municipal election has failed to pay any amount owed to the City under the By-law;
  - (3) the City enter into discussions with the Province as to effective enforcement options to address the issue of dual candidacies and signage;
  - (4) the City Clerk be requested to contact the City Clerk for the City of Vaughan and the Town of Markham and request that candidates for political office within their jurisdiction be provided with an information package advising them that Steeles Avenue lies within the boundary of the City of Toronto, and that all election signs posted within Toronto are required to comply with Article II, Election Signs, Toronto Municipal Code Chapter 693, Signs; and
  - (5) the City Solicitor be authorized to introduce to Council in the fall of 2004, any bill necessary to give effect to the decision of Council and, if any further amendments to the By-law may be required, to report to Council on such additional amendments.

## 16. Toronto Election Finance Review Task Force Recommendations

**(Deputations: 11:15 a.m.)**

Report (June 8, 2004) from the City Clerk submitting for Council's consideration the recommendations from the Toronto Election Finance Review Task Force for possible amendments to the Municipal Elections Act, 1996.

### Recommendations

It is recommended that:

- (1) Council consider the following recommendations submitted by the Toronto Election Finance Review Task Force:
  - “(a) the Task Force recommends that the City of Toronto request an amendment to the Ontario Municipal Elections Act (Act) to limit contributions to all candidates for councillor by an individual, corporation

or trade union to \$1000 with a maximum of \$750 to any one candidate and to \$2,500 for all candidates for the office of head of a municipality with a maximum of \$2,500 to any one candidate.

- (b) the Task Force recommends that contributions of goods and services must be reported and properly receipted as campaign contributions using provincial laws as the standard.
- (c) the Task Force recommends that the debts of a candidate remaining unpaid 12 months after voting day will be deemed to be a contribution unless the candidate can show that he/she cannot afford to pay these debts.
- (d) the Task Force recommends that the City of Toronto request an amendment to the Ontario Municipal Elections Act to require that surpluses become the property of the municipality or local board, as the case may be, if they are not used in the election for which they were raised.
- (e) the Task Force recommends that the City of Toronto request an amendment to the Ontario Municipal Elections Act to include the cost of holding fund-raising functions and the cost of holding parties and making other expressions of appreciation after the close of voting as campaign expenses and thus subject to the maximum expenditure limit and that the General Regulation under the Act be amended to provide that the limits on expenses be calculated on the same basis as that used in the Provincial Election immediately prior to the municipal election plus 25%. The Task Force also recommends that the costs of court cases and recounts not be included as campaign expenses.
- (f) the Task Force recommends that the reporting of revenues and expenditures should be made more transparent by implementing mandatory electronic filing, providing definitions for expense categories, the use of more detailed report forms (including Form 5) by all candidates, and a continuation of the requirement that audits be conducted for campaigns with \$10,000 or more in revenues or expenditures.
- (g) the Task Force recommends that joint campaigns be recognized in the Municipal Elections Act, be subject to written agreements between the participants, that a joint bank account be opened with specific rules set out for the operation of the account and a provision that all joint expenditures be paid only through this account on an equitable basis, that the agreement be filed at the time the bank account is opened, and that a separate filing be made for each joint account and each participant should attach a copy of the filing to the participant's return.

- (h) the Task Force recommends that an independent Election Finance Review Board be established to act as an oversight body which will review all data based on all returns filed, compile aggregate data for reports to Council, recommend amendments to the legislation, financial reporting system and rebate program for approval by Council, and review and report to Council on complaints concerning possible infractions of Council's guidelines concerning election finance issues.
  - (i) the Task Force recommends that the Municipal Elections Act be amended to provide that monitoring and enforcement of the provisions of the Municipal Elections Act be the responsibility of Elections Ontario and that sufficient power be given to Elections Ontario to provide appropriate enforcement of the provisions of the Municipal Elections Act.
  - (j) the Task Force recommends that a booklet and a CD listing all the contributors and their contributions be published by the City Clerk's office after the first financial filing at the end of March in the year following an election and that, for reporting purposes, the statistics for corporations and trade unions be separated.
  - (k) the Task Force referred to Administration Committee without recommendation a motion - 'That the Municipal Elections Act be amended to permit either a rebate program or a grant program at the discretion of the local municipality.'
- (2) the City Clerk be requested to report back to the Administration Committee on the estimated financial impacts of the recommendations Council chooses to adopt.

**17. Recommendations to amend the Code of Conduct Governing Members of Toronto City Council**

**(In-camera: Solicitor-client privilege)**

Confidential report (June 11, 2004) from the City Solicitor responding to a request from the Administration Committee for a report on a request by the Toronto Police Services Board to amend the Code of Conduct governing Toronto City Council in respect to endorsements by the Toronto Police Association, and because the advice is subject to solicitor-client privilege, under the *Municipal Act, 2001*, discussions be held in-camera.

**(The following items 17(a) to (d) were included on the April 29, 2004 agenda)**

- 17(a).** Communication (November 19, 2003) from the Chair, Toronto Police Services Board, advising of the Toronto Police Services Board's decision to amend the Code of Conduct

governing the elected members of the Board regarding endorsements by the Toronto Police Association.

Recommendation:

That the City of Toronto Code of Conduct governing members of Council be amended so that, in future, members of Council cannot seek or accept the endorsement of the Toronto Police Association.

- 17(b).** Communication (March 17, 2004) from A. Milliken Heisey, Q.C., Chair, Toronto Police Services Board responding to the January 9, 2004 request of the Administration Committee and providing two legal opinions regarding political activity by police officers.

Recommendation:

That the Administration Committee receive this for information.

- 17(c).** Communication (April 14, 2004) from Wendy O'Kane, Executive Assistant to the President, Toronto Police Association responding to the January 9, 2004 request of the Administration Committee and providing a communication which was presented to the Police Service Board Meeting of December 11, 2003.

- 17(d).** Submission by Tim Danson, Legal Counsel, Toronto Police Association

**18. Costing Controls on the Purchase of Information and Technology Equipment**

Communication (June 10, 2004) from the e-City Committee forwarding the action taken by the Committee on June 9, 2004.

Recommendations:

The e-City Committee recommended to the Administration Committee:

- (1) that the Executive Director of Information and Technology, Corporate Services Department be requested to report to the e-City Committee on:
  - (a) the total cost established including installation, maintenance and training related to purchase of information and technology equipment in connection with the Technology End of Lease Strategy; and
  - (b) a mechanism for ensuring that the cost is adhered to, and reported on a quarterly basis; and

- (2) that the Executive Director of Information and Technology, Corporate Services Department, be requested to report to the e-City Committee on the total amount saved through volume discounts and early payment discounts.

**19. Metropolitan Toronto Police Benefit Fund - Actuarial Valuation Report as at December 31, 2003**

Report (June 5, 2004) from the Board Secretary, Board of Trustees of the Metropolitan Toronto Police Benefit Fund.

Recommendation:

The Board of Trustees of the Metropolitan Toronto Police Benefit Fund at its meeting held on Friday, May 28, 2004, recommended to the Administration Committee the Actuarial Valuation Report as at December 31, 2003, prepared by Mr. Robert G. Camp, Mercer Human Resource Consulting, be adopted and that the City of Toronto be requested to begin making contributions retroactively.

The Board advises having requested the Chief Financial Officer and Treasurer to report to the Administration Committee on this matter.

**20. Approval of two New Members and re-appointment of one former member to the City of Toronto French Committee**

Report (May 10, 2004) from the City of Toronto French Committee requesting City Council approval of appointments to the City of Toronto French Committee (Comité français de la ville de Toronto).

Recommendations:

It is recommended that:

- (1) City Council approve the appointment of the following persons as members of the City of Toronto French Committee/ Comité français de la ville de Toronto. The name of the sector is indicated in parentheses.  
Corinne Baranger (youth groups, in replacement of Carole Toscano-Drouin who resigned due to a move outside of the City of Toronto)  
  
Nora Herold (women's groups, in replacement of Jacqueline Williams who could not complete her mandate);
- (2) City Council approve the re-appointment of the following former member:  
Thérèse Gaudry (senior citizens, she was/ previously representative of the charities and volunteering sector, a position now held by another member of the Committee);

- (3) the term of office of the above Committee members be for a period of two years expiring in November 2005, and until their successors are appointed; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.



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**ADMINISTRATION COMMITTEE  
SUPPLEMENTARY AGENDA  
MEETING NO. 7**

<b>Date of Meeting:</b>	<b>Monday, June 28, 2004</b>	<b>Enquiry:</b>	<b>Christine Archibald</b>
<b>Time:</b>	<b>9:30 a.m.</b>		<b>Administrator</b>
<b>Location:</b>	<b>Committee Room No. 2</b>		<b>416-392-7039</b>
	<b>2nd Floor, City Hall</b>		<b>carchiba@toronto.ca</b>
	<b>100 Queen Street West</b>		
	<b>Toronto</b>		

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**8. Procurement Process Review Implementation - Consolidated Report**

Report (June 18, 2004) from the Chief Financial Officer and Treasurer establishing a procurement process that meets departmental operational needs cost-effectively and expeditiously as possible while ensuring effective controls, accountability and reporting mechanisms to Council.

Recommendations:

It is recommended that:

- (1) Council repeal the existing Chapter 195, Purchasing of The City of Toronto Municipal Code and adopt the proposed revised Chapter 195, Purchasing, of the Code substantially as set out in the attached Appendix "A" effective November 1, 2004;
- (2) despite the repeal of the existing Chapter 195, the existing Chapter be applicable to all calls issued prior to November 1, 2004;
- (3) Council adopt the policy dealing with the purchasing process, entitled "Procurement Processes Policy" substantially as set out in the attached Appendix "B", effective for all calls issued after November 1, 2004;
- (4) Chapter 71, Financial Control, of The City of Toronto Municipal Code be amended in accordance with the proposed by-law attached as Appendix "C" effective November 1, 2004;



- (5) the City Clerk forward this report to those City local boards undertaking procurement activities and advise the boards of the need to review, in conjunction with their Purchasing Agents, any of their purchasing policies for compliance with the requirements of section 271 of the Municipal Act, 2001;
- (6) the current practice of posting call results on the City's Web site be maintained;
- (7) authority be granted for the introduction of the necessary Bills in Council to give effect to the foregoing;
- (8) the appropriate City of Toronto officials be authorized to take the necessary actions to give effect thereto; and
- (9) this report be forwarded to the Audit Committee for information.

**11. Establishing a Scale of Costs for the Sale of Land for Tax Arrears under the Municipal Act, 2001**

**(11:00 a.m. Deputations)**

Report (June 17, 2004) from the Chief Financial Officer and Treasurer recommending the repeal of City of Toronto By-law 730-1999 and the enactment of a new By-law to update the scale of costs to current rates for tax sale proceedings under Part XI of the Municipal Act, 2001, Sale of Lands for Tax Arrears.

Recommendations:

It is recommended that:

- (1) the charging of fees and costs in accordance with the Scale of Costs attached as Schedule "A" be approved, effective January 1, 2004;
- (2) City of Toronto By-law No. 730-1999 be repealed;
- (3) authority be granted for the introduction of the necessary bills in Council; and
- (4) the appropriate City staff be authorized and directed to take the necessary actions to give effect thereto.

## **12. Feasibility of Using Fairness Consultants for Certain Procurements**

Report (June 22, 2004) from the Chief Administrative Officer responding to the Auditor General's recommendation contained in the Procurement Processes Review that the CAO investigate the merits of using external fairness consultants for certain procurements.

### Recommendations:

It is recommended that:

- (1) Council endorse the approach of using external fairness consultants (detailed in Appendix 2) in certain limited circumstances defined by call complexity and the likelihood of intense scrutiny such as high-profile projects;
- (2) departments review procurement initiatives at the planning and pre-call development stage for level of complexity as defined in Appendix 3, and the likelihood of intense scrutiny that may require the use of an external fairness consultant;
- (3) departments intending to issue very complex competitive calls consult with a CAO-established Advisory Panel of City representatives (legal, finance, purchasing, and CAO) early in the call development stage to assess whether use of an external fairness consultant is warranted and which of the models described in this report is appropriate;
- (4) the CAO in consultation with the CFO, Solicitor and Commissioners, develop Terms of Reference and procedures for the Advisory Panel;
- (5) the reporting procedures for fairness consultants in Appendix 4, be approved to ensure appropriate Council and senior management involvement in complex procurements;
- (6) the CFO in consultation with the CAO, Solicitor and Commissioners, continue to establish best practices in procurement (examples are outlined in Appendix 5); and
- (7) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

## **NEW ITEMS**

### **21. Grant of Permanent Surface Easement Over a Portion of High Park to 383 Ellis Park Road (Formerly known as 1947 to 1997 Bloor Street West) (Ward 13 - Parkdale - High Park)**

Report (June 14, 2004) from the Commissioner of Corporate Services authorizing a grant of permanent surface easement in favour of 383 Ellis Park Road over a portion of High Park at 1873 Bloor Street West.

#### **Recommendations:**

It is recommended that:

- (1) authority be granted to convey a permanent surface easement in favour of 383 Ellis Park Road over a portion of High Park consisting an area of approximately 12.1 m<sup>2</sup> (130.24 ft<sup>2</sup>) for fire exit pathway purposes, on the terms outlined in the body of this report, and as are satisfactory to the Commissioner of Economic Development, Culture & Tourism, and in a form and content acceptable to the City Solicitor; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

### **22. Declaration as Surplus - Portion of 12 Canterbury Place and Authority to Negotiate the Acquisition of 37 Churchill Avenue for park Purposes (Ward 23 - Willowdale)**

Report (June 14, 2004) from the Commissioner of Corporate Services declaring a portion of 12 Canterbury Place surplus to municipal requirements and to authorize negotiations for the acquisition of 37 Churchill Avenue for park purposes.

#### **Recommendations:**

It is recommended that:

- (1) the portion of 12 Canterbury Place, described as part of Lot 19, Concession 1 West of Yonge Street, designated as part of Part 1 on Reference Plan 64R-12410 and shown as Part 1 on the Sketch No. PS-2004-087 (the "Property"), be declared surplus to the City's requirements and all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken;

- (2) the Commissioner of Corporate Services, in consultation with the Commissioner of Economic Development, Culture and Tourism, be authorized to commence negotiations for the acquisition of 37 Churchill Avenue, shown as Part 4 on Sketch No. PS-2004-078, in exchange for the Property;
- (3) City Council approve, as the approving authority under the provisions of the *Expropriations Act*, the disposal of the site without giving the original owners from whom the lands were expropriated the first chance to repurchase the lands; and
- (4) appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**23. Land Transaction Respecting 20 Gothic Avenue (Ward 13 - Parkdale - High Park)**

Report (June 14, 2004) from the Commissioner of Corporate Services recommending the land transaction respecting 20 Gothic Avenue be to Monarch Construction Limited, based upon the direction of the original proposed purchaser, Quebex Development Corporation, as previously approved by Council by adoption of Clause 11 of Report 4 of the Administration Committee at its meeting on May 21, 22 and 23, 2003.

Recommendations:

It is recommended that:

- (1) authority be granted to sell and transfer title to 20 Gothic Avenue to Monarch Construction Limited or to its wholly owned subsidiary;
- (2) authority be granted to add Monarch Construction Limited and/or its subsidiary as a party to all agreements and documents necessary to implement the terms of the sale as previously approved by City Council; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**24. Declaration as Surplus City-owned Land Located at 192A Bloor Street West (Ward 20 - Trinity-Spadina)**

Report (June 14, 2004) from the Commissioner of Corporate Services declaring the City-owned land at 192A Bloor Street West surplus to municipal requirements.

Recommendations:

It is recommended that:

- (1) the City-owned land located at 192A Bloor Street West, being Part Lot 1 on Registered Plan 289 and more particularly described as Parts 1, 2 and 3 on Survey Plan No. W-158 prepared by Yates and Yates Limited attached as Schedule "A" (the "Property"), be declared surplus to the City's requirements, subject to the retention of a permanent sub-surface easement for the operation, maintenance, repair, replacement and protection of the existing transit facilities, shown as Part 2 on the said survey plan and the Commissioner of Corporate Services be authorized to invite an offer to purchase the Property from the lessee, McDonald's Restaurants of Canada Limited ("McDonald's");
- (2) if, in the opinion of staff, a recommendable offer is not received in respect of the Property, then the Commissioner of Corporate Services be authorized to list the Property for sale on the open market, subject to the lease and easement encumbrances;
- (3) all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**25. Amendment of Lease and Conversion of Assembly Hall Parking Lot to Paid Parking Lot Assembly Hall - 1 Colonel Samuel Smith Park Drive (Ward 6 - Etobicoke-Lakeshore)**

Joint report (June 11, 2004) from the Commissioner of Corporate Services and the Commissioner of Economic Development, Culture & Tourism amending definition of the leasehold interest in a 99-year land lease between the City, as Landlord, and The Board of Governors of The Humber College of Applied Arts and Technology ("Humber College"), as Tenant, to permit the relocation of the parking spaces currently used by Humber College and the consolidation of parking spaces available for use by the Assembly Hall; to convert the Assembly Hall parking lot to a paid parking lot; and to enter into a licence agreement with Toronto Parking Authority for operation and maintenance of the Assembly Hall parking lot.

Recommendations:

It is recommended that:

- (1) authority be granted to enter into an agreement amending the legal description of the lands subject to the Humber Lease, as defined below, by deleting the westerly 52 metres, more or less, of Part 4 on Plan 66R-20676 (approximately marked with cross-hatching on the attached Appendix 1) from the description and adding Part 6 on Plan 66R-20676 (approximately marked in bold on Appendix 1), such agreement to otherwise be on terms acceptable to the Commissioner of Corporate Services and in a form acceptable to the City Solicitor;
- (2) authority be granted for implementation of paid parking at the Assembly Hall parking lot, including that area which will be used by the Assembly Hall following the amendment of the Humber Lease;
- (3) authority be granted to amend Schedule III of Municipal Code Chapter 950, Traffic and Parking, to include the Assembly Hall parking lot, for the purpose of charging fees for parking;
- (4) authority be granted for the City to enter into a License Agreement with the Toronto Parking Authority for operating the Assembly Hall parking lot on behalf of the City, under the terms and conditions of the existing agreement between Toronto Parking Authority and the City; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**26. Potential Exchange of Lands with Village Securities Limited (Ward 42 – Scarborough-Rouge River)**

**(2:00 p.m. Deputations)**

**(In-camera : acquisition of land for municipal purposes)**

Confidential report (June 23, 2004) from the Commissioner of Corporate Services, and because it relates to the acquisition of land for municipal purposes, under the *Municipal Act, 2001* discussions be held in-camera.

**26(a).** Communication (June 21, 2004) from Lewis Yeager, General Manager, Rouge Park

**26(b).** Communication (June 22, 2004) from Brian Denney, Chief Administrative Officer, Toronto and Region Conservation Authority

**27. Sale of Surplus Vacant Land - North Side of Eglinton Avenue West, East of Royal York Road (Ward 4 - Etobicoke Centre)**

Report (June 17, 2004) from the Commissioner of Corporate Services authorizing the sale of a parcel of vacant land located on the north side of Eglinton Avenue West, east of Royal York Road.

Recommendations:

It is recommended that:

- (1) the Offer to Purchase from 1133251 Ontario Inc. to purchase a portion of the City-owned property on the north side of Eglinton Avenue West, east of Royal York Road, designated as Parts 6 and 7 on Plan 64R-11327 (“the Property”), in the amount of \$1,140,000.00, be accepted on the terms outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) a commission equal to 3 per cent (3%) of the purchase price, plus GST (if applicable) be paid to J. J. Barnicke Oncor International (“J. J. Barnicke”) upon the successful completion of the sale transaction;
- (3) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to the Property;
- (4) the City Solicitor be authorized to complete the transaction on behalf of the City, including making payment of any necessary expenses and amending the closing date to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**28. Settlement of Expropriation of 1505 Bayview Avenue Toronto Parking Authority (Ward 26 - Don Valley West)**

**(In-camera : acquisition of land for municipal purposes)**

Confidential report (June 21, 2004) from the Commissioner of Corporate Services, and because it relates to the acquisition of land for municipal purposes, under the *Municipal Act, 2001* discussions be held in-camera.

**29. Purchase of 60 Tiffield Road - Yard and Support Facility – Water and Wastewater Services**

**(In-camera : acquisition of land for municipal purposes)**

Confidential report (June 23, 2004) from the Commissioner of Corporate Services and the Commissioner of Community and Neighbourhood Services, and because it relates to the acquisition of land for municipal purposes, under the *Municipal Act, 2001* discussions be held in-camera

**30. Acquisition of 45 Princess Avenue (Ward 23 – Willowdale)**

**(In-camera : acquisition of land for municipal purposes)**

Confidential report (June 23, 2004) from the Commissioner of Corporate Services, and because it relates to the acquisition of land for municipal purposes, under the *Municipal Act, 2001* discussions be held in-camera

**31. Update on Permanent Easements and Crossing Agreement for a Proposed Water Main Project.**

**(in-camera: proposed or pending acquisition of land)**

Confidential report (June 21, 2004) from the Commissioner of Corporate Services, and because it relates to the proposed or pending acquisition of land, under the *Municipal Act, 2001* discussions be held in-camera.

**32. 2004 Second Quarterly Report on Property Sales and Purchases (All Wards)**

Report (June 18, 2004) from the Commissioner of Corporate Services providing the 2004 Second Quarterly Report on property sales and purchases for the information of the Committee.

Recommendations:

It is recommended that this report be received for information.