



**ADMINISTRATION COMMITTEE
AGENDA
MEETING 5**

Date of Meeting: Tuesday, July 4, 2006
Time: 9:30 a.m.
Location: Committee Room 2
City Hall
100 Queen Street West
Toronto, Ontario

Enquiry: Yvonne Davies
Committee Administrator
416-392-7039
ydavies@toronto.ca

If the Administration Committee wishes to meet in camera (privately), a motion must be made to do so, and the reason given (*Municipal Act, 2001*).

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

Confirmation of Minutes – June 6, 2006

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

10:00 a.m. – Item 9

2:00 p.m. – Items 7, 8

Communications/Reports:

CITY MANAGER

1. Parking Tickets Issued to Out-of-Province Vehicles

Report (June 19, 2006) from the City Manager responding to a request for information on: i) the status of the Council's request to the Province with respect to the negotiation of data transfer and exchange agreements with other provincial and state governments for the purpose of obtaining name and address information of out-of-town plate owners with

outstanding parking fines in the City of Toronto; and, ii) the feasibility of tracking and processing of parking infraction notices issued to out-of-town vehicles.

Recommendations:

It is recommended that:

- (1) the Treasurer be authorized to negotiate and enter into agreements with the states of New York, Pennsylvania, Maine and Ohio for the purpose of obtaining out-of-Province license plate information, such agreement to be to the satisfaction of the City Solicitor;
- (2) gross expenditures of \$13,000 in 2007, and an incremental increase of \$12,000 in 2008, to cover the cost of postage, printing, and ownership/address information be included in the Revenue Services Division's respective years operating budget submission, and gross revenues of \$30,000 in 2007 and incremental impact of \$20,000 in 2008 for the increase in Parking Tag revenue be included in Non Program's respective operating budget submission;
- (3) if Committee and Council approves the budget request identified in Recommendation 2, above, staff initiate a program to pursue collection of outstanding City of Toronto parking tickets issued to vehicles registered in the states of New York, Pennsylvania, Maine and Ohio, by issuing a Notice of Fine and Due Date to the offenders following a registered conviction of the offence by the Courts;
- (4) this report be forwarded to the Budget Advisory Committee;
- (5) staff be directed to report back to the Administration Committee within twelve months of the program's initiation to present an evaluation of the results; and,
- (6) the appropriate City staff be given authority to give effect thereto.

CORPORATE FINANCE

2. Active Insurance Claims in Litigation 2006

(In camera – Litigation or potential litigation)

Confidential report (June 16, 2006) from the Deputy City Manager and Chief Financial Officer.

TREASURER/CITY CLERK

3. Compliance with Travel Expense Policy by Staff and Councillors

Report (June 15, 2006) from the City Clerk and Treasurer responding to the following recommendation made at the March 6, 2006 Administration Committee meeting:

“that the City Clerk to report on whether the policy with respect to travel expenses for staff and Councillors whereby they are required to submit receipts and a detailed report on the conference they have attended, is being complied with.”

Recommendations:

It is recommended that this report be received for information.

TREASURER

4. Quarterly Treasurer’s Report on Activities of the Accounting Services and the Purchasing and Materials Management Divisions

Report (June 19, 2006) from the Treasurer informing the Committee and Council on activities of the Accounting Services and the Purchasing and Materials Management Divisions for the First Quarter of 2006.

Recommendations:

It is recommended that this report be received for information.

PURCHASING AND MATERIALS MANAGEMENT

5. Practices in Providing Business Opportunities to Businesses

Report (June 16, 2006) from the Deputy City Manager and Chief Financial Officer responding to a request by the Economic Development and Parks Committee that the Deputy City Manager and Chief Financial Officer report to the Administration Committee regarding small businesses being able to bid on City Contracts.

Recommendations:

It is recommended that the City continue its current practices in providing business opportunities to businesses of all sizes, as outlined in this report.

6. Request for Quotation (RFQ) 6124-06-3079 – For the Supply and Delivery of Manufacturer’s Original Equipment Tires and Retreads

Report (June 15, 2006) from the Chief Corporate Officer and the Director, Purchasing and Materials Management advising on the results of the Request for Quotation 6124-06-3079 for the Supply and Delivery of Manufacturer's original Equipment Tires and Retreads to Fleet Services Division including Toronto Fire Services, Toronto Emergency Medical Services and Solid Waste Management Services as when required for three (3) years, from the date of award to July 31, 2009 with the option to renew for two (2) additional one (1) year periods, and to request authority to award a contract to the recommended bidder.

Recommendations:

It is recommended that:

- (1) a contract be awarded to Good Year Canada Inc. from the date of award to July 31, 2009 in the total amount of \$4,905,774.71 including all applicable taxes and charges with an option to renew for two (2) additional twelve month periods, at the sole discretion of the General Manager of Fleet Services, for the period from August 1, 2009 to July 31, 2010 in the total amount of \$1,715,450.84 including all applicable taxes and charges and from August 1, 2010 to July 31, 2011 in the total amount of \$1,734,574.41 including all applicable taxes and charges, provided that the supply and delivery of Manufacturer’s Original Equipment Tires and Retreads was performed at a satisfactory level and subject to budget approval, the General Manager of Fleet Services to instruct the Purchasing Agent to process the necessary contract renewals under the same terms and conditions; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

REVENUE SERVICES

7. Tax Adjustment – *Municipal Act, 2001 Sections 357 and 358*

(2:00 p.m. Statutory Hearing under the *Municipal Act, 2001*)

Report (June 13, 2006) from the Treasurer recommending approval for the cancellation, reduction or refund of taxes pursuant to the provisions of section 357 and 358 of the *Municipal Act, 2001*.

Recommendations:

It is recommended that:

- (1) the individual tax appeal applications made pursuant to section 357 of the *Municipal Act, 2001* resulting in tax adjustments totalling \$529,812.08 (including reductions in Business Improvement Area charges and excluding phase-in/capping adjustments), as provided in the detailed hearing report attached as Appendix C, be approved;
- (2) the individual tax appeal applications made pursuant to Section 358 of the *Municipal Act, 2001* resulting in tax adjustments totalling \$329,369.15 (including reductions in Business Improvement Area charges and excluding phase-in/capping adjustments), as provided in the detailed hearing report attached as Appendix D, be approved; and,
- (3) the appropriate City Officials be authorized and directed to take the necessary actions to give effect thereto.

8. Apportionment of Property Taxes

(2:00 p.m. Statutory Hearing under the *Municipal Act, 2001*)

Report (June 14, 2006) from the Treasurer recommending approval for the apportionment of taxes pertaining to properties listed in Appendices A and B of this report and to report on the estimated amount of grant funding required to off-set the penalty/interest charges associated with these properties.

Recommendations:

It is recommended that:

- (1) the property tax apportionments identified in Appendix A and Appendix B, columns entitled “Apportioned Tax” and “ Apportioned Phase In/Capping”, be approved; and,
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

CITY SOLICITOR

9. Fees for Real Estate Services Provided by the City Solicitor to Outside Parties

(Public Notice – 10:00 a.m.)

Report (June 16, 2006) from the City Solicitor seeking approval to establish a current fee schedule for documents and services provided by the City Solicitor to outside parties.

Recommendations:

It is recommended that:

- (1) the fee schedule as set out in Appendix 1 to this report be approved, effective as of the date of Council adoption;
- (2) the fees collected from the provision of the documents and services identified in Appendix 1 be allocated to the Legal Division budget;
- (3) the City Solicitor be authorized to waive the applicable fee where an encroachment has been caused by a road widening or other municipal undertaking, and to waive or reduce any of the fees set out in Appendix 1 where, in her opinion, exceptional situations or circumstances of financial hardship exist;
- (4) the fees set out in Appendix A shall automatically increase on the first day of January in each year by the percentage increase in the All Items Index of the Consumer Price Index (not seasonally adjusted) for the Toronto Census Metropolitan Area, published by Statistics Canada, during the twelve-month period ending on October 1 in the year immediately preceding the rate increase date;
- (5) Chapter 441 of the Toronto Municipal Code be amended to incorporate the fee schedule set out in Appendix 1;

- (6) authority be granted for the introduction of any necessary Bills to give effect to the foregoing and the City Solicitor be given the authority to submit a bill directly to Council each year reflecting the annual Consumer Price Index increase; and
- (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

CITY CLERK

10. Procurement of an Order Picker (Fork Lift) and Budget Adjustments relating to the Printing Equipment Replacement Plan of the City Clerk's Office, Records and Information Management

Report (June 13, 2006) from the City Clerk seeking Council's authority for the City Clerk's Office to purchase a replacement order picker for the Records Centre Operation at 255 Spadina Road to address health and safety concerns and to delete approval and funding for 2 sub-projects under the Printing Equipment Replacement Plan in the 2006 City Clerk's Approved Capital Budget.

Recommendations:

It is recommended that:

- (1) the City Clerk's Office be authorized to purchase an order picker through the vehicle and equipment reserve; and
- (2) the City Clerk's 2006 Approved Capital Budget be reduced by \$180 thousand gross; \$0 net to reflect the deletion in funding for the Colour Scanner Proofer and the Prepress Firm Image-Setter and an increase in gross funding (\$0 net) to provide for an order picker; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

11. Amendment to the Agreement with Election Systems and Software, Inc. for Electronic Election Equipment and Software Acquisition and Maintenance

Report (June 20, 2006) from the City Clerk recommending an amendment to the indemnity provisions of the February 1, 2000 agreement between the City and Election Systems and Software, Inc. to reduce the indemnity requirements to more accurately reflect the business relationship between the parties in 2006.

Recommendations:

It is recommended that:

- (1) section 6.3(1) of the Agreement dated February 1, 2000 with Election Systems & Software, Inc. (“ES&S”) for Electronic Election Equipment and Software Acquisition and Maintenance be amended to reduce the indemnity obligations of ES&S to the value of the amount paid by the City under the Agreement for hardware and software maintenance and support in each election cycle, such amendment to be in a form satisfactory to the City Solicitor; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

12. Affirm the Three-Year Term for Municipal Officials

Communication (June 1, 2006) from the City Clerk advising that City Council on May 23, 24 and 25, 2006, referred Motion J(5) titled “Affirm the Three-Year Term for Municipal Officials” to the Administration Committee, the operative paragraphs of which read:

“NOW THEREFORE BE IT RESOLVED THAT Toronto City Council petition the provincial government (Minister of Municipal Affairs and Housing) to place a plebiscite question regarding extending the term of office for Mayor, City Councillor, and School Trustee on the ballot of the November 13, 2006 municipal election to gain public input on this issue;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be requested to take any necessary action to give effect to the foregoing, including the introduction in Council of any Bills that may be required.”

EXHIBITION PLACE

13. Records Retention Schedule and Disposition of Transitory and Duplicate Records for Exhibition Place

Report (June 16, 2006) from the General Manager and Chief Executive Officer, Exhibition Place, submitting this report for the consideration of the Administration Committee, and for subsequent approval by City Council.

Recommendations:

It is recommended that City Council:

- (1) approve the records retention schedule set out in Appendix “B” to this report, and the special records retention schedule for transitory and duplicate records in Appendix “A”;
- (2) pass any necessary by-law to establish the records retention schedules in Appendices “A” and “B”, in order to schedule the retention of Exhibition Place records and to destroy records that have no administrative, financial, legal or archival value and have completed their scheduled retention; and
- (3) authorize and direct the appropriate Exhibition Place and City officials to take the necessary action to give effect thereto.

TORONTO PARKING AUTHORITY

14. Purchase of 2201 Dundas Street West for Municipal Parking Purposes (Ward 14 – Parkdale-High Park)

(In camera - proposed or pending acquisition of land for municipal purposes)

Confidential report (June 16, 2006) from the President, Toronto Parking Authority (“TPA”).

15. Grant of Right of Way at Carpark 701

(In camera – disposition or potential disposition of City-owned land for municipal purposes)

Confidential report (June 16, 2006) from the President, Toronto Parking Authority (“TPA”).

INFORMATION AND TECHNOLOGY

16. Annual Information Technology Systems Maintenance Contracts Renewal

Report (June 20, 2006) from the Deputy City Manager and Chief Financial Officer, Fareed Amin, Deputy City Manager, and Sue Corke, Deputy City Manager seeking approval to renew for an additional year, sole sourced information technology systems maintenance contracts listed in Appendix A which have exceeded the \$500,000.00 cumulative threshold since 2000.

Recommendations:

It is recommended that:

- (1) approval be granted to renew the sole sourced contracts listed in Appendix A for an additional year at a cost not to exceed \$10,163,823.83 including all charges and taxes; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

FACILITIES AND REAL ESTATE/ SHELTER, SUPPORT AND HOUSING

17. Lease of City-Owned Property at 717 Broadview Avenue to the Broadview Foundation (Ward 30 – Toronto-Danforth)

Report (June 19, 2006) from the General Manager, Shelter, Support and Housing Administration, and the Chief Corporate Officer seeking Council authority to enter into a new lease for 717 Broadview Avenue with the Broadview Foundation.

Recommendations:

It is recommended that:

- (1) authority be granted to enter into a new lease with the Broadview Foundation for the use of 717 Broadview Ave. for a period from January 1, 2006 to June 30, 2007, subject to the same terms and conditions, including the rent, at an annual

rent of not less than \$325,000, excepting the overholding provision to be amended that the rent be the same as the period during the term, and in a form acceptable to the City Solicitor;

- (2) the 2006 and 2007 net rent from the Broadview Foundation be directed to offset the City's debt service cost incurred to purchase the property at 717 Broadview Avenue;
- (3) the Chief Corporate Officer shall administer and manage this Lease, including the exercise of any renewal options and the provision of any consents, approvals, notices and notices of termination, provided that the Chief Corporate Officer may, at any time, refer consideration of such matter (including the content) to City Council for its determination and direction;
- (4) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the commencement or other lease date to such earlier or later dates 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.

18. Approval to Expropriate 194 Dowling Avenue (also known as 1495 Queen Street West) for the Purpose of Developing Affordable Housing on a Derelict Housing Site (Ward 14 – Parkdale)

Report (June 14, 2006) from the Chief Corporate Officer and the General Manager, Shelter, Support and Housing Administration seeking approval to expropriate 194 Dowling Avenue (also known as 1495 Queen Street West) for the purpose of developing affordable housing on a derelict housing site.

Recommendations:

It is recommended that:

- (1) City Council, as approving authority, consider the report of the Inquiry Officer as detailed herein;
- (2) City Council, as approving authority, approve the expropriation of 194 Dowling Avenue (also known as 1495 Queen Street West) for the development of affordable housing on a derelict housing site for the reasons outlined herein and based on the recommendations of Victor L. Freidin, Inquiry Officer;

- (3) authority be granted to pay \$200 in costs to Copper Crow Property Management Ltd. as recommended by the Inquiry Officer;
- (4) authority be granted to take all steps necessary to comply with the Expropriations Act, including but not limited to, the preparation and registration of an Expropriation Plan and the service of Notices of Expropriation, Notices of Election as to a Date for Compensation and Notices of Possession;
- (5) the Director of Real Estate be authorized to sign the Notices of Expropriation and Notices of Possession on behalf of the City;
- (6) authority be granted to amend the appropriate City's Capital Program Budget by the addition of a project "194 Dowling Avenue Acquisition" in the amount sufficient to pay for all acquisition and other costs, with an offsetting recovery from the Development Charges Reserve Fund XR2017;
- (7) staff be authorized to obtain an updated appraisal report and serve an offer of compensation in accordance with the Expropriations Act and pay the appraised value, which as of March 2005 was estimated to be \$420,000, for the property and other costs pursuant to the Expropriations Act, whether or not the payment to be made is within the City Manager's current delegated financial authority;
- (8) leave be granted for introduction of the necessary Bill in Council to give effect thereto; and
- (9) the appropriate City Officials be authorized and directed to take the necessary action to give effect hereto.

FACILITIES AND REAL ESTATE

19. 2006 Second Quarterly Report on Property Sales and Purchases (All Wards)

Report (June 15, 2006) from the Chief Corporate Officer providing the 2006 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.



**ADMINISTRATION COMMITTEE
SUPPLEMENTARY AGENDA
MEETING 5**

Date of Meeting: Tuesday, July 4, 2006
Time: 9:30 a.m.
Location: Committee Room 2
City Hall
100 Queen Street West
Toronto, Ontario

Enquiry: Yvonne Davies
Committee Administrator
416-392-7039
ydavies@toronto.ca

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

2:10 p.m. – Item 31

Communications/Reports:

NEW ITEMS

CITY SOLICITOR

- 20. Settlement of Claim Arising from Construction of Main Square Community Centre (Ward 32 – Beaches – East York)**

(In camera – potential litigation)

Confidential report (June 20, 2006) from the City Solicitor.

FACILITIES AND REAL ESTATE

- 21. Adjustment to Approved Cash Flows – Facilities and Real Estate Division’s 2006 Union Station Approved Capital Budget**

Report (June 26, 2006) from the Chief Corporate Officer advising of the adjustments to cashflows for approved projects in the 2006 Approved Capital Plan for Union Station.

Recommendations:

It is recommended that this report be received for information.

22. Sale of Part of 46 Hamilton Street, Don Mount Parkette in Exchange for Certain Lands owned by Toronto Community Housing Corporation for Park Purposes (Ward 30 – Toronto-Danforth)

Report (June 22, 2006) from the Chief Corporate Officer seeking authority for the sale of the City-owned property municipally known as 46 Hamilton Street, Don Mount Parkette in exchange for certain lands owned by Toronto Community Housing Corporation for park purposes.

Recommendations:

It is recommended that:

- (1) authority be granted for the City to enter into a Land Exchange Agreement with TCHC under which the City will convey to TCHC part of 46 Hamilton Street, Don Mount Parkette being part of PIN 21073-0164 (LT) and all of PIN 21073-0264 (LT) and designated as Parts 3, 4, 5, 6 and 7 on the Draft Reference Plan dated November 10, 2005 attached as Appendix “B” (the “Plan”), subject to the reservation of an easement for existing sewer and water works and services on terms and conditions satisfactory to the Executive Director of Technical Services and the General Manager of Toronto Water (the “City Lands”) in exchange for the conveyance by TCHC to the City of certain lands for park purposes being part of PIN 21073-0279 (LT) and designated as Part 1 on the Plan (the “TCHC Lands”), substantially on the terms and conditions outlined in Appendix “A” to this report (the “Land Exchange Agreement”) and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to execute the Land Exchange Agreement on behalf of the City;
- (2) authority be granted for the City to acquire an easement for nominal consideration from TCHC for sewer and water works and services located in that portion of the lands on the Plan shown as Matilda Street stopped-up and closed, on terms and conditions satisfactory to the Executive Director of Technical Services and the General Manager of Toronto Water;
- (3) authority be granted for the City to enter into an encroachment agreement or encroachment agreements in respect of the easements described in Recommendations (1) and (2), on terms and conditions satisfactory to the Executive Director of Technical Services and the General Manager of Toronto Water;

- (4) authority be granted for the City to enter into an escrow agreement, as required under the terms of the Land Exchange Agreement for the conveyance of the TCHC Lands to the City (the “Escrow Agreement”);
- (5) the easements and encroachment agreements described in Recommendations (1), (2) and (3), be in a form satisfactory to the City Solicitor and that the City Solicitor be authorized to complete the transaction(s) under the Land Exchange Agreement and the Escrow Agreement on behalf of the City, including making payment of any necessary expenses and amending the closing and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable;
- (6) authority be granted to repeal By-law No. 124-72 of The Corporation of the City of Toronto, and repeal amending By-law No. 166-72, which by-laws dedicated the City Lands for park purposes and named the park Don Mount Parkette (the “By-laws”); and
- (7) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

23. Declaration as Surplus – 30 Alvin Avenue, Municipal Carpark No. 12 (Ward 22 – St. Paul’s)

Report (June 19, 2006) from the Chief Corporate Officer seeking authority to declare 30 Alvin Avenue surplus to municipal requirements, save and except a below grade strata being sufficient in area to accommodate 209 parking spaces and to accommodate the facilities and equipment required by the Toronto Transit Commission ("TTC") for the TTC Fire Ventilation Upgrade Program, and to undertake negotiations with Wittington Properties Limited for a sale of the lands declared surplus.

Recommendations:

It is recommended that:

- (1) 30 Alvin Avenue described as Lots 4 to 9, inclusive, and part of Lots 3 and 10, Plan 1422, part of Lots 4, 5 and 6, Plan 357 and part of Lot 26, Plan 277; and designated as Parts 1 to 6, inclusive on Reference Plan 66R-12185, save and except a below grade strata being sufficient in area to accommodate 209 parking spaces and to accommodate the facilities and equipment for the TTC Fire Ventilation Upgrade Program and subject to the existing easement with the TTC and existing rights-of-way in favour of the owners of 1501 and 1507 Yonge Street and the owner of 1479 Yonge Street (the “Property”), be declared surplus to the

City's requirements, with the intended manner of disposal to be by way of a sale to Wittington Properties Limited;

- (2) all steps necessary to comply with the City's real estate disposal process as set out in Chapter 213 of the City of Toronto Municipal Code be taken;
- (3) City Council approve, as the approving authority under the provisions of the *Expropriations Act*, the disposal of the lands without giving the original owners from whom the lands were expropriated the first chance to repurchase the lands;
- (4) a permanent subsurface easement be granted to Consumers Gas on terms and conditions satisfactory to the Toronto Parking Authority ("TPA") and City Solicitor over Parts 2, 4, 5 and part of Part 1 on Reference Plan 66R-12185 to provide gas service to adjoining properties;
- (5) authority be granted to the TPA to negotiate the terms and conditions of a sale agreement with Wittington Properties Limited or another entity associated with it or controlled by the same principals and acceptable to the TPA, and report back thereon; and
- (6) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

24. Transfer of Parts of 1035 Sheppard Avenue West to the City of Toronto Economic Development Corporation. (Ward 10 – York Centre)

Report (June 23, 2006) from the Chief Corporate Officer seeking authority for the transfer of those parts of 1035 Sheppard Avenue West shown as Parts 2, 3, 7 and 9 on Sketch No. PS-2005-147a (the "Sketch"), referred to collectively in this Report as "the Property", to the City of Toronto Economic Development Corporation ("TEDCO").

Recommendations:

It is recommended that:

- (1) permanent easements be granted to Toronto Hydro, for nominal consideration, over such parts of Part 2 and 9 on the Sketch as are necessary to accommodate utility duct banks, on terms acceptable to the Chief Corporate Officer and in a form acceptable to the City Solicitor;
- (2) a permanent easement be granted to Bell Canada, for nominal consideration, over such parts of Part 2 on the Sketch as are necessary to accommodate communication equipment duct banks, on terms acceptable to the Chief Corporate Officer and in a form acceptable to the City Solicitor;

- (3) authority be granted to enter into an agreement with TEDCO to transfer the Property to TEDCO substantially on the terms and conditions set out in Appendix "A" attached, and on such other terms and conditions as may be approved by the Chief Corporate Officer, in a form satisfactory to the City Solicitor (the "Transfer Agreement"), and to complete the transactions provided for in the Transfer Agreement;
- (4) TEDCO be required to provide, in the development of the Property, one or more blocks of appropriately zoned, subdivided and serviced blocks of land to the Affordable Housing Office for the development of affordable housing and/or incorporate affordable housing in mixed use developments, so that 20% of the future housing units developed on the Property are affordable and satisfy the criteria of the Director of Affordable Housing Development, Affordable Housing Office, as amended from time to time;
- (5) each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to execute the Transfer Agreement on behalf of the City;
- (6) authority be granted to fund the City's outstanding expenses related to this Property from the Land Acquisition Reserve Fund and that the Facilities and Real Estate Operating Budget be adjusted accordingly when these expenses are known;
- (7) 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 and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable; and
- (8) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

25. Acquisition of 207 New Toronto Street and Long-Term Lease of 200 Horner Avenue (Ward 6 – Etobicoke-Lakeshore)

Report (June 21, 2006) from the Chief Corporate Officer seeking authority for the City to enter into an agreement with 693316 Ontario Limited and 2052865 Ontario Limited for a transaction (the "Transaction") whereby the City would acquire 207 New Toronto Street ("207 New Toronto") from 693316 Ontario Limited and the City would lease 200 Horner Avenue ("City Lands") to 2052865 Ontario Limited, by way of a long-term forty (40) year lease (the "Lease").

Recommendations:

It is recommended that:

- (1) 2006 Capital Budget for Transportation Service be amended by the addition of a project "207 New Toronto Street Acquisition" for \$6,096,375.00 with funding provided from Land Acquisition Reserve Fund (XR1012).
- (2) authority be granted to enter into an agreement with 2052865 Ontario Limited (the "Lessee") and 693316 Ontario Limited (the "Vendor") for the Transaction whereby:
 - (i) the Vendor will convey to the City the property municipally known as 207 New Toronto Street, Toronto, shown as Part 2 on the site sketch attached hereto;
 - (ii) as partial consideration for the acquisition of 207 New Toronto, the City and the Lessee will enter into a forty (40) year lease agreement (the "Lease"), for the property municipally known as 200 Horner Avenue, Toronto, shown as Part 1 on the site sketch; and
 - (iii) the agreement will be substantially on the terms and conditions set out in Appendix "A" attached to this report, together with such other terms and conditions as may be deemed appropriate by the Chief Corporate Officer and in form approved by the City Solicitor;
- (3) authority be granted for the City to enter into the Lease, substantially on the lease terms and conditions set out in Appendix "A" attached to this report, together with such other terms and conditions as may be deemed appropriate by the Chief Corporate Officer and in form approved by the City Solicitor;
- (4) the Chief Corporate Officer shall administer and manage the Lease including the provision of any consents, approvals, waiver notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction;
- (5) the City Solicitor be authorized to complete the Transaction on behalf of the City, including payment of any necessary expenses and amending the commencement date of the Lease or the closing date to such earlier or later dates and on such terms and conditions as she may from time to time consider reasonable;
- (6) any proceeds from sale or redevelopment of the snow dump portion of the Westwood Theatre Site be directed to the Land Acquisition Reserve Fund;

- (7) this report be forwarded to the Policy and Finance Committee for consideration;
- (8) the City be authorized to enter into an indemnity agreement in favour of the Crown in respect of 200 Horner Avenue, substantially on the terms and conditions contained in the Ministry of Environment Operational Guide for Obtaining Section 46 Approval for the Use of Lands Previously used for Disposal of Waste, or such other terms and conditions satisfactory to the Chief Corporate Officer and in form satisfactory to the City Solicitor; and the Chief Corporate Officer be directed to report to Administration Committee should unforeseen costs arise as a result of the indemnity agreement; and
- (9) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

26. 1126 Finch Avenue West, Units 14, 15, 16 and 17 – Lease for Children’s Services (Ward 8 – York West)

Report (June 26, 2006) from the Chief Corporate Officer seeking authority to lease space at 1126 Finch Avenue West, Units 14, 15, 16 and 17, for Children’s Services.

Recommendations:

It is recommended that:

- (1) authority be granted to enter into a Lease with the Landlord, Humboldt Properties, at 1126 Finch Avenue West, for space to accommodate the new requirements of Children’s Services substantially on the terms and conditions outlined in Appendix “A” to this report and in a form acceptable to the City Solicitor;
- (2) authority be granted to the Chief Corporate Officer to administer and manage the lease agreement including the provision of any consents, approvals, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matter (including their content) to City Council for its determination and direction;
- (3) The General Manager of Children’s Services be authorized, after completion of the leasehold improvements, to pay the Landlord the final cost of approximately \$345,000.00; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

27. Acquisition of 126 Holcolm Road – Expansion of Edithvale Park (Ward 23 – Willowdale)

Report (June 21, 2006) from the Chief Corporate Officer seeking authority for the acquisition of 162 Holcolm Road for park land purposes.

Recommendations:

It is recommended that:

- (1) the Offer to Sell from Harry Joseph Gural & Electra Gural to the City, for the property municipally known as 126 Holcolm Road, in the amount of \$514,500.00 (plus land transfer tax of \$6,765.00) be accepted substantially on the terms outlined in Appendix “A” to this report, and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept the Offer on behalf of the City;
- (2) 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 and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable;
- (3) the Parks, Forestry and Recreation 2006 Capital Budget be amended to increase the Land Acquisition Project accordingly by \$522,000.00, which will be funded from Deferred Revenue Account Number 216031;
- (4) the report be referred to the Policy and Finance Committee for consideration; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

28. Long Term Lease to Her Majesty the Queen in Right of Canada as Represented by the Minister of National Defence – Part of 70 Birmingham Street (Ward 6 – Etobicoke-Lakeshore)

Report (June 15, 2006) from the Chief Corporate Officer seeking authority to enter into a long term lease with Her Majesty the Queen in Right of Canada as represented by the Minister of National Defence ("DND") for the purpose of providing DND with an exclusive use area together with shared use facilities at the Toronto Police Service ("TPS") training facility to be constructed at 70 Birmingham Street, City of Toronto.

Recommendations:

It is recommended that:

- (1) authority be granted to enter into the a long term lease (the "Lease") with Her Majesty the Queen in Right of Canada as represented by the Minister of National Defence ("DND") to provide DND with an exclusive use area as shown on the attached Appendix B (the "Leased Premises") as well as the opportunity to share TPS training facilities at 70 Birmingham Street, substantially on the terms and conditions as set out in Appendix "A" attached and on such other terms and conditions as may be approved by the Chief Corporate Officer, in consultation with the Chief of Police and in a form acceptable to the City Solicitor;
- (2) the Chief Corporate Officer shall administer and manage the Lease, including the exercise of any renewal options and the provision of any consents, approvals, notices and notices of termination, provided that Chief Corporate Officer may, at any time, refer consideration of such matter (including their content) to City Council for its determination and direction;
- (3) payments made by DND, pursuant to the provisions of the Lease, be deposited to TPS New Training Facility Capital Project Account No. PL-100021-02;
- (4) authority be granted to the Chief Corporate Officer, in consultation with the Chief of Police, to extend the time limit given to DND to obtain its Treasury Board approval to such later date(s) as he may consider reasonable;
- (5) the declaration of surplus of those lands described in Recommendation 1 of Clause No. 15 of Report No. 2 of the Administration Committee adopted by Council at its meeting held on April 25, 26 and 27, 2006, be rescinded for all lands in excess of the Leased Premises; and
- (6) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

29. Transfer of Parcels of Land Between Midland Avenue and Brimley Road, North of St. Clair Avenue East (Ward 36 – Scarborough Southwest)

Report (June 26, 2006) from the Chief Corporate Officer seeking authority for the transfer of parcels of land between Midland Avenue and Brimley Road, north of St. Clair Avenue East, shown as Parts 1, 2, 3, 4, 5, 7, 9, 10 and 11 on Sketch No. PS-2004-060e (the "Sketch"), referred to collectively in this Report as "the Property", to the City of Toronto Economic Development Corporation ("TEDCO").

Recommendations:

It is recommended that:

- (1) a permanent easement be granted to Toronto Hydro for nominal consideration in parts 5, 6 and 8 on Plan 64R-8666, to accommodate Hydro infrastructure, on terms acceptable to the Chief Corporate Officer and in a form acceptable to the City Solicitor;
- (2) authority be granted to enter into an agreement with TEDCO to transfer the Property to TEDCO, substantially on the terms and conditions set out in Appendix "A" attached, and on such other terms and conditions as may be approved by the Chief Corporate Officer, in a form satisfactory to the City Solicitor (the "Transfer Agreement"), and to complete the transactions provided for in the Transfer Agreement;
- (3) each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to execute the Transfer Agreement on behalf of the City;
- (4) authority be granted to fund the City's outstanding expenses related to this Property from the Land Acquisition Reserve Fund and that the Facilities and Real Estate Operating Budget be adjusted accordingly when these expenses are known;
- (5) 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 and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable; and
- (6) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

30. Land Lease of 4804-4812 Yonge Street, Northwest Corner of Yonge Street and Sheppard Avenue West (Ward 23 – Willowdale)

Report (June 27, 2006) from the Chief Corporate Officer seeking authority to enter into an offer to lease with 4084/12 HRDOV YONGE REALTY LIMITED ("HRDOV") for a portion of a property located at the northwest corner of Yonge Street and Sheppard Avenue West.

Recommendations:

It is recommended that

- (1) the City enter into an offer to lease and lease with HRDOV for a portion of the property at the northwest corner of Yonge Street and Sheppard Avenue, shown as Parts 1, 2, and 3 on Sketch No. PS-2005-064 (the “Sketch”) (the “Leased Land”), and provide a non-exclusive license for the use and maintenance of Part 5 on the Sketch, on the terms and conditions outlined in Appendix A;
- (2) the Deputy City Manager and Chief Financial Officer report back on the costs of the environmental investigation and remediation, if such costs have been incurred, identifying a source of funds for their recovery, should HRDOV exercise its option not to proceed with the proposed lease transaction;
- (3) authority be granted to allocate funds from the initial payment of rent to pay real estate commission to Cushman Wakefield Lepage Inc. calculated as set out in Appendix “B”;
- (4) once the Leased Land is sold, proceeds be directed to the City’s Land Acquisition Reserve Fund; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**FACILITIES AND REAL ESTATE/
ECONOMIC DEVELOPMENT CULTURE AND TOURISM**

31. Don Valley Brick Works – Lease of Part of 550 Bayview Avenue to Evergreen Environmental Foundation (Ward 29 – Toronto-Danforth)

(Speakers – 2:10 p.m.)

Report (June 16, 2006) from the Chief Corporate Officer and the General Manager of Economic Development Culture and Tourism seeking authority to lease part of 550 Bayview Avenue to Evergreen Environmental Foundation (“Evergreen”).

Recommendations:

It is recommended that:

- (1) authority be granted to enter into a Lease with Evergreen for the Lease Premises substantially on the terms and conditions set out in Appendix "A" attached, and in a form acceptable to the City Solicitor and TRCA's legal counsel;
- (2) authority be granted to the Chief Corporate Officer in consultation with the General Manager of Economic Development, Culture and Tourism to negotiate and approve the respective easements, rights-of-way, licences, heritage easement agreements and other agreements or related documentation deemed necessary or desirable by them to give effect to the Lease, in a form acceptable to the City Solicitor;
- (3) the Chief Corporate Officer shall administer and manage this Lease, including the provision of any consents, approvals, notices and notices of termination, provided that Chief Corporate Officer may, at any time, refer consideration of such matter (including the content) to City Council for its determination and direction;
- (4) the City Solicitor be authorized to complete the transactions on behalf of the City, including payment of any necessary expenses and amending the commencement or other date(s) in the Lease, including conditions to be satisfied, to such earlier or later dates and on such terms and conditions as she may from time to time consider reasonable;
- (5) the Deputy City Manager and Chief Financial Officer, in consultation with the City Solicitor and General Manager of Economic Development, Culture and Tourism, be requested to consider and report back to Administration Committee on the feasibility of declaring the Leased Premises or any part(s) thereof, a municipal capital facility and exempting it or such part(s) from taxation for municipal and school purposes and from development charges;
- (6) the Deputy City Manager and Chief Financial Officer, in consultation with the City Solicitor and General Manager of Economic Development, Culture and Tourism, be requested to consider and report back to Policy and Finance Committee on the feasibility of approving a joint and several loan guarantee with TRCA for Evergreen to its financial institution in the amount of \$3,000,000.00, if formally requested by Evergreen for its project;
- (7) the Deputy City Manager and Chief Financial Officer, in consultation with the City Solicitor and General Manager of Economic Development, Culture and Tourism, be requested to consider and report back to Policy and Finance Committee on the feasibility of waiving any requirement for performance or construction lien security from the Tenant other than the general contractor security and assignments of the Federal and Provincial funding contributions for the project as described in the Report;

- (8) the General Manager of Economic Development, Culture and Tourism be authorized to immediately undertake a Risk Assessment on the remaining Site contamination and prepare a Risk Management Plan resulting in a Record of Site Condition for the Leased Premises;
- (9) the General Manager of Economic Development, Culture and Tourism be directed to review the Culture 5 year Capital Plan to identify a source of funds to complete the Site remediation and report to Economic Development and Parks Committee;
- (10) Transportation Services and Parks, Forestry and Recreation work with Evergreen and TRCA before concluding transportation studies currently underway to optimize the trail connections to the Site and to reflect those solutions in their capital budget in 2007 and 2008;
- (11) Transportation and Technical Services undertake an analysis of the access and servicing requirements for the Site and the uses anticipated by the Evergreen Master Plan to complete the outstanding obligations on the City's part under the 2004 MOU bearing in mind the Tenant's stated desire for a LEEDS Platinum designation;
- (12) Preservation Services, working in co-operation with Evergreen, TRCA and the Ontario Heritage Trust, be requested to work towards devising a single Heritage Easement Agreement for the Site; and
- (13) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

(Attachments referred to in the report were distributed to Members of Council only. Copies are on file in the City Clerk's Office, City Hall and on the City's website: www.toronto.ca/legdocs/2006/agendas/adm.htm)

- 31(a).** Communication (June 26, 2006) from Bart H. MacDougall, MacDougall, MacDougall & MacTier.
- 31(b).** Communication (June 24, 2006) from Dominique Barker and Matthew Gibson.
- 31(c).** Communication (June 25, 2006) from George F. Dark, Chairman of the Board of Directors, Urban Strategies Inc.
- 31(d).** Communication (June 23, 2006) from Gloria Shulman.

31(e). Communication (undated) from Scott Haldane, President and CEO, YMCA of Greater Toronto.

31(f). Communication (June 26, 2006) from Alexandra Montgomery.

32. Blanket Contract No. 47010238 – Compugen Ad-Hoc Purchases

Report (June 26, 2006) from the Chief Corporate Officer and the Director, Purchasing and Materials Management seeking approval to increase the Compugen Ad-Hoc blanket contract for the supply and delivery of net new desktop and notebook computers, and related products and services by \$575,000 including all applicable taxes to the end of the current agreement.

Recommendations:

It is recommended that:

- (1) blanket contract no. 47010238 issued to Compugen for the purchase of ad-hoc computer hardware be increased by \$575,000.00 including all applicable taxes and charges (\$500,000.00 before taxes) to a total value of \$3,328,611.11 including all applicable taxes and charges (\$2,894,444.44 before taxes), to facilitate the purchase of various ad-hoc computer hardware items by City divisions to the expiry of this contract; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.