



General Government Committee

Meeting No. 2 **Contact** Yvonne Davies, Committee Administrator
Meeting Date Thursday, February 15, 2007 **Phone** 416-392-7443
Start Time 9:30 AM **E-mail** ydavies@toronto.ca
Location Committee Room No. 2, City Hall

General Government Committee		
Councillor Gloria Lindsay Luby, Chair Councillor Bill Saundercook, Vice-Chair	Councillor Paul Ainslie Councillor Doug Holyday	Councillor Clifford Jenkins Councillor Cesar Palacio

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Declarations of Interest under the *Municipal Conflict of Interest Act***Confirmation of Minutes - January 25, 2007**

Schedule of Timed Items –
11:30 a.m. Item GG2.1
1:30 p.m. Item GG2.8
2:00 p.m. Item GG2.9

Communications/Reports

GG2.1	ACTION	11:30 AM		Wards: All
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Amending the Fair Wage Schedules
Deferred from the January 25, 2007 meeting.

(January 5, 2007) report from Manager, Fair Wage Office

Recommendations

The Manager, Fair Wage Office recommends that:

1. City Council delete Schedule C of the Municipal Code Chapter 67 and adopt the Fair Wage Schedules, attached to this report in Attachment “A”, as the new Schedule C of the Municipal Code Chapter 67;
2. the Fair Wage Schedules, attached as Attachment “A”, become effective March 1, 2007, (the “effective date”) for new Tenders, Requests for Quotation, Requests for Proposals, Purchase Orders, and Divisional Purchase Orders issued by the City;
3. the deleted Fair Wage Schedules remain on file and in force and effect for those contracts issued before the effective date of the new Fair Wage Schedules;
4. City Council amend Chapter 67 Schedule “A” - “Fair Wage Policy” to include the provision as set out in the draft Bylaw as Attachment “B”; and
5. City Council authorize and direct the appropriate City officials to take the necessary action(s) to implement these recommendations.

Financial Impact

There are no financial implications resulting from this report.

Summary

The purpose of this report is to update the Fair Wage Schedules as required by the Fair Wage Policy. The intent of the Fair Wage Policy in part is to maintain a level playing field between unionized and non unionized labour wage rates when bidding on City of Toronto work. Developed in consultation with industry stakeholders, the Fair Wage Schedules reflect wage increases recognized by the construction labour markets. The proposed Fair Wage Schedules will be in place for all new City procurement documents effective March 1, 2007. All City contracts or procurement documents issued before March 1, 2007 will follow the former Fair Wage Schedules. An amendment to the Fair Wage Policy will clarify this for all bidders.

Background Information

Report-Amending the Fair Wage Schedules

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1425.pdf>)

Attachment A - Fair Wage General Classification

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1422.pdf>)

Attachment A - 2007 Fair Wage ICI Work

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1427.pdf>)

Attachment A - Fair Wage Heavy Construction Work

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1418.pdf>)

Attachment A - Fair Wage Road Building Work

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1423.pdf>)

Attachment A - Fair Wage Sewer & Watermain Construction

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1424.pdf>)

Attachment A - Fair Wage Utility Work

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1428.pdf>)

Attachment B - Fair Wage Draft Bylaw

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1419.pdf>)

Appendix C - Construction Ind Comments

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1420.pdf>)

Attachment D - Fair Wage-List of Reps

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1426.pdf>)

1a

Fair Wage Policy Comparison in GTA Municipalities and Other Orders of Government

(February 1, 2007) report from Manager, Fair Wage Office

Recommendations

The Manager, Fair Wage Office recommends that this report be considered by the General Government Committee with his report dated January 5, 2007.

Financial Impact

There are no financial implications resulting from this report.

Summary

This report responds to the request of the General Government Committee at its January 25, 2007 meeting that the Manager, Fair Wage Office provide a further report including a comparison of the City of Toronto's Fair Wage Policy to other GTA municipalities and other levels of government.

Background Information

Report - Fair Wage Policy Comparison in GTA Municipalities & Other Orders of Government

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1483.pdf>)

GG2.2	ACTION			Wards: All
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**Quarterly Treasurer's Report on Activities of the Accounting Services and the Purchasing and Materials Management Divisions - September 30, 2006
Deferred from the January 25, 2007 Meeting for Discussion.**

(January 10, 2007) report from Treasurer

Summary

The purpose of this report is to inform the Committee and Council on activities of the Accounting Services and the Purchasing and Materials Management Divisions. This report provides a brief analysis of the performance indicators for Accounting Services and the Purchasing and Materials Management Divisions through the first nine months of 2006. Staff will continue to monitor these indicators in assessing the success of the improvement initiatives that are currently underway. Financial Impact There are no financial implications to the City of Toronto as a result of this report.

Background Information

Quarterly Treasurer's Report on Activities of the Accounting Services and the Purchasing & Materials Management Divisions – September 30, 2006
(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1484.pdf>)

GG2.3	ACTION			Wards: All
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Awarding of Contracts by Bid Committee

(January 26, 2007) report from Treasurer

Recommendations

The Treasurer recommends that Section 195-13, 195-14, 195-15 of the Municipal Code, be revised to read as per the attached Appendix A, as explained in this report.

Financial Impact

No financial impact.

Summary

In an effort to remove routine, administrative matters from Committee and Council agendas, staff are recommending that current \$5 million ceiling for procurement awards made by Bid Committee be removed provided that funding approval has been received in accordance with the Financial Control By-law, there are no material objections made by any of the bidders and that the award is made to the lowest bidder in a tender/quote call or the highest scoring proponent in a proposal call. This initiative will also streamline the contract award process by up to four weeks and continue to ensure that information on all awards is available to Councillors and the public.

Background Information

Report-Awarding of Contracts by Bid Committee

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1486.pdf>)

Appendix A - Proposed Revisions to Municipal Code, Chapter 195

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1487.pdf>)

GG2.4	Information			Wards: 37, 38, 39, 40, 41
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Assignment for Completion of a Contract - Contract No. 02D4-143TW, Tender Call No. 357-2002: Winter Maintenance on City of Toronto Local Roads, Winter Services of Hired Graders, Loaders and Driveway Windrow Clearing Equipment

(January 19, 2007) report from General Manager, Transportation Services and Director, Purchasing and Materials Management

Financial Impact

At its meeting of June 24, 25 and 26, 2003, City Council approved Contract No. 02D4-143TW. All funds required for the completion of this multi-year contract covering the 2003/2004, 2004/2005, 2005/2006, 2006/2007, 2007/2008 Winter Seasons were approved and there is no financial impact to complete the remaining two (2) years for the above contract.

“Metropolitan” had completed three years of the five-year winter maintenance contract. The remaining two years of the contract (beginning January 1, 2007) has a completion value of \$1,501,560.56 which includes all taxes, charges and estimated Adjusting Index escalation.

Year	Index Increase	Year Total (Adjusted)	6% GST	Total Value
January 1, 2007 - March 31, 2007	1.14858	\$ 641,460.34	\$ 38,487.62	\$ 679,947.96
December 1, 2007 - March 31, 2008	*1.186807	\$ 775,106.23	\$ 46,506.37	\$ 821,612.60
Estimated Escalated Price (2-Year Total)		\$ 1,527,835.27	\$ 91,670.11	\$1,501,560.56

* Estimated Adjusting Index

Contract Number 02D4-143TW required immediate acquisition of a contractor to complete the remaining two years of work related to winter maintenance. One (1) qualified contractor already performing similar type of work for the City of Toronto, as a sub-contractor to “Metropolitan” on the subject contract, agreed to provide labour and equipment in the area affected by the defaulting contractor. The assignee “IPURC” has agreed to provide labour and equipment, as required, at the same terms, conditions and unit prices as the original contract, based on the remaining two-year commitment.

Summary

This report advises the General Government Committee of a change in the company that will perform and complete the remaining work for the referenced contract which had previously been awarded to Metropolitan Paving and Concrete Ltd. (“Metropolitan”). The report also advises the General Government Committee of the Division Head’s use of Emergency Sole Source Purchasing pursuant to 195-9C of the Municipal Code, Purchasing, “where the dollar amount of any commitment entered into under 195-9B is not within the maximum dollar amount of any commitment authority delegated to staff under the provisions of the Financial Control By-law, the Chief Purchasing Officer and the Chief Administrative Officer or department head shall report jointly to Council through the General Government Committee at the earliest opportunity after entering into the commitment.” The unexpected default of the winter maintenance contract by “Metropolitan” a few days after the start date on December 1, 2006 required immediate action by City staff to ensure that an alternate contractor was in place to supply labour and equipment for winter operations. The remaining years of work in the existing winter maintenance contract have been assigned to a qualified company, IPURC Investments Inc. (“IPURC”). Transportation Services is satisfied that the company, “IPURC” is familiar with the scope of work and is capable of supplying the required experience, labour and equipment for winter maintenance on City of Toronto roads in the Scarborough District.

Background Information

Report-Assignment for Completion of a Contract - 02D4-143TW, Tender Call No. 357-2007 (<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1488.pdf>)

GG2.5	ACTION			Wards: All
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Amending By-Law No. 637-2006 for the Levy on Certain Universities and Colleges

(January 26, 2007) report from Treasurer

Recommendations

The Treasurer recommends that:

1. By-law 637-2006 be amended to reflect the following changes to the capacity figures and the resulting levy for 2006:

Institution	Original Capacity	Original Levy	Revised Capacity	Revised Levy
Ryerson University	12,713	\$953,475	16,814	\$1,261,050
Centennial CAAT	0	\$0	301	\$22,575
George Brown CAAT	0	\$0	383	\$28,725

2. the ‘institution name’ for Ryerson in By-law 637-2006 be changed from ‘Ryerson Technological University’ to ‘Ryerson University’;
3. authority be granted for the introduction of the necessary bill to give effect thereto; and
4. the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

Amending By-law No. 637-2006 to reflect the revised capacity figures for Ryerson University and its two satellite campuses will result in additional Non-Program revenues of \$358,875 for 2006 taxation year.

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

Summary

This report seeks Council authority to amend By-law No 637-2006 “To levy an amount for the year 2006 upon certain Universities and Colleges”, as follows:

1. increase the capacity amount (i.e. the number of full-time students) for Ryerson University from 12,713 to 16,814 and the associated levy;
2. add new capacity amounts for Ryerson University’s satellite campuses located at Centennial College (301 full time students) and George Brown College (383 full time students) and increasing the associated levy; and
3. change the ‘institution name’ from ‘Ryerson Technological University’ to ‘Ryerson University’. The above changes increase the total capacity amount that was used to calculate the 2006 levy for Universities and Colleges by 4,785 students, thereby raising an additional \$358,875 in revenue for the 2006 taxation year.

Background Information

Report-Amending By-law No. 637-2006 for the Levy on Certain Universities and Colleges (<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1489.pdf>)

GG2.6	ACTION			Wards: All
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Approval to Initiate and Participate in Assessment Review Board Appeals and Respond to other Assessment Matters

(January 26, 2007) report from Treasurer

Recommendations

The Treasurer recommends that:

1. appeals initiated by Revenue Services staff, as identified in Appendix A to this report, be authorized by Council;
2. City participation in the assessment appeals initiated by taxpayers, as identified in Appendix B to this report, be authorized by Council and actions taken to-date by Revenue and Legal Services staff in respect to these appeals be approved;
3. authority be delegated to the Director of Revenue Services, in consultation with the City Solicitor, to take all steps appropriate to deal with the appeals identified in this report including authority to withdraw appeals filed by the City or end its participation or execute Minutes of Settlements or other settlement documentation on behalf of the City;
4. authority be delegated to the Director of Revenue Services in consultation with the City Solicitor, to initiate and/or participate in appeals and execute Minutes of Settlement on behalf of the City where due to special circumstances, staff are not able to obtain authorization from Council before participating in and/or initiating the appeal;
5. authority be delegated to the Director of Revenue Services, in consultation with the City Solicitor, to execute Minutes of Settlement that resolve disputes between taxpayers and MPAC that the City has not actively participated in;
6. authority be delegated to the Director of Revenue Services, in consultation with the City Solicitor, to respond to court proceedings dealing with municipal assessment and taxation matters, including authority to execute settlement documentation; and
7. the appropriate City staff be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

The fees paid to the Minister of Finance for filing appeals with the ARB, as listed in Appendix A to this report, are estimated to be \$2,775 (\$150.00 for each non-residential assessment appeal application and \$75.00 for each residential appeal).

There are no fees for those properties appealed by the taxpayer (owner) and where the City has decided to participate. However, costs could be incurred to retain professional services (such as appraisers, planners, economists or other experts) to provide opinion evidence at the ARB in support of the City's position. Funds for these professional services are included in the 2007

Preliminary Operating Budget Estimates, Non-Program account entitled “Assessment Function”.

At this time, staff cannot estimate what the financial impact to the City will be from either the appeals the City initiates or participates in; however, the expectation is that the City’s taxation revenue will increase.

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

Summary

This report identifies those properties where, as a result of review and analysis, Revenue Services staff, on behalf of the Treasurer, have launched assessment appeals at the Assessment Review Board (ARB) and are now seeking authorization to proceed with those appeals. In addition, staff are requesting authorization to actively participate in various taxpayer (owner) initiated appeals in order to protect the City’s assessment base. The report also seeks authority to delegate authority to the Director of Revenue Services, in consultation with the City Solicitor to respond to assessment appeals and court applications based upon the Council approved criteria, including authority to execute settlement documentation. If the recommendations in this report are adopted, Revenue Services and Legal Services staff will prepare the City’s position on a case-by-case basis.

Background Information

Report-Approval to Initiate and Participate in Assessment Review Board Appeals
(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1492.pdf>)

Appendix A - Appeals Initiated by the Treasurer

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1491.pdf>)

Appendix B - Appeals Initiated by Taxpayer in which the City will Fully Participate

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1490.pdf>)

GG2.7	ACTION			Wards: 5
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775-779 The Queensway – Designation of a portion of the premises as a Municipal Capital Facility

(January 26, 2007) report from Treasurer

Recommendations

The Treasurer recommends that:

1. Council pass a by-law pursuant to section 252 of the *City of Toronto Act, 2006*, providing authority to:
 - a. enter into a municipal capital facility agreement with the owner, Dodson-Lesmark Developments, of the property located at 775-779 The Queensway in respect of lands leased by the City to house Toronto Social Services; and

- b. exempt the leased space at 775-779 The Queensway (22,500 square feet) from taxation for municipal and school purposes, which tax exemption is to be effective from the latest of the following dates: the commencement date of the lease between the City and the property owner of 775-779 The Queensway; the date the municipal capital facility agreement is signed; or the date the tax exemption by-law is enacted;
2. the City Clerk be directed to give written notice of the by-law to the Minister of Education, the Municipal Property Assessment Corporation, the Toronto District School Board, the Toronto Catholic District School Board, the Conseil Scolaire de District du Centre-Sud-Ouest, and the Conseil Scolaire de District du Catholique Centre-Sud;
3. authority be granted for the introduction of the necessary bills to give effect thereto; and
4. the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

Exempting the space being leased by Toronto Social Services will allow for a reduction in Toronto Social Services operating expenditures of approximately \$49,427 in 2007 (based on 2007 CVA figures and 2007 estimated tax rates) that would have otherwise been paid as property taxes on the leased space, and similar amounts in subsequent years. This amount consists of approximately \$25,393 in municipal taxes that will no longer be received as revenue by the City, nor will be required to be funded through Toronto Social Services annual budget and a further \$24,034 that would have been payable to the Province for the share of education taxes.

Providing a tax exemption would result in a net financial savings to the City of \$24,034 annually, representing the provincial education share of taxes that will not be payable.

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

Summary

This report seeks Council authority to adopt the necessary by-laws to designate the leased premises at 775-779 The Queensway being occupied by Toronto Social Services as a municipal capital facility, and to provide a property tax exemption for municipal and education purposes for the leased space. Providing a tax exemption for the space occupied by Toronto Social Services will result in a net financial savings to the City of approximately \$24,034 per year, representing the provincial education share of taxes that will no longer be payable.

Background Information

Report-775-779 The Queensway - Designation of a portion of the premises as a Municipal Capital Facility

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1493.pdf>)

GG2.8	ACTION	1:30 PM		Wards: All
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Cancellation, Reduction or Refund of Property Taxes Public Hearing - City of Toronto Act 2006

(January 26, 2007) report from Treasurer

Recommendations

The Treasurer recommends that:

1. the individual tax appeal applications made pursuant to section 357 of the *Municipal Act, 2001* as continued under section 323 of the *City of Toronto Act, 2006* resulting in tax adjustments totalling \$1,216,640.18 (including reductions in Business Improvements Area charges and excluding phase-in/capping adjustments), as identified in the Detailed Rearing Report attached as Appendix A, be approved;
2. the individual tax appeal applications made pursuant to section 358 of the *Municipal Act, 2001*, as continued under section 325 of the *City of Toronto Act, 2006* resulting in tax adjustments totalling \$529,956.77 (including reductions in Business Improvement Area charges and excluding phase-in/capping adjustments) as identified in the Detailed Hearing Report attached as Appendix B, be approved; and
3. the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

This report recommends tax relief in the amount of \$1,746,596.95 (including reductions in Business Improvement Area charges and excluding phase-in/capping adjustments) as summarized in Appendices A and B, attached. The City's share of taxes which is approximately \$1,117,380.66 will be funded from the 2007 Tax Deficiency Account (Non-Program Budget). The education portion totalling \$625,188.69 will be recovered from the province/school boards, and the Business Improvement Area (BIA) reductions totalling \$4,027.60 will be funded from the respective BIA provision.

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

Summary

Sections 357 and 358 of the *Municipal Act, 2001* as continued under section 323 and section 325 of the *City of Toronto Act, 2006* (COTA) allows the treasurer of the municipality, an owner of the land or their representative to initiate the process to cancel, reduce or refund taxes. The Act requires that upon receipt of an application to cancel, reduce or refund taxes, Council must hold a public meeting at which the applicants and owners of any part of the land may make representation. Authority to hold such public meetings has been delegated to the General

Government Committee. This report serves to advise that Notices of Hearing pertaining to the cancellation, reduction or refund of taxes for the properties listed in Appendices A and B (attached) have been sent to affected taxpayers. In addition, the report recommends approval of 166 applications initiated by taxpayers.

Background Information

Report-Cancellation, Reduction or Refund of Property Taxes

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1496.pdf>)

Appendix A-Detailed Hearing Report - 357, Hearing 2007H1

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1495.pdf>)

Appendix B-Detailed Hearing Report - 358, Hearing 2007H1

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1494.pdf>)

GG2.9	ACTION	2:00 PM		Wards: All
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Apportionment of Property Taxes

(January 26, 2007) report from Treasurer

Recommendations

The Treasurer recommends that:

1. the property taxes identified in Appendix A and Appendix B, under the columns entitled “Apportioned Tax” and “Apportioned Phase In/Capping”, be approved;
2. all interest and penalty charges which have accrued on the taxes being apportioned, identified in Appendix A and Appendix B, under the columns entitled “Apportioned Interest/Penalty” be written off as uncollectible;
3. authority be delegated to the Director of Revenue Services to write-off as uncollectible the interest and penalty charges that have accrued on, and form part of, any unpaid taxes which are apportioned by Council; and,
4. the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

Appendices A and B, identify that approximately \$49,458.68 (as at January 22, 2007) in penalty/interest charges has accrued on the tax accounts pending Council’s approval of the apportioned taxes. It should be noted that this amount is subject to change as interest charges continue to accrue until such time as the apportioned tax bills have been issued. Whereas previously this amount would have been off-set by an automatic grant, this report recommends that such penalty/interest be written-off. Funding for the write-off of the interest/penalty amount is provided for from the 2007 Tax Penalty Account (Non-Program Budget).

With the exception of the penalty/interest amount, the apportionment of property taxes has no financial impact on the City of Toronto. The apportionment process merely secures the City's revenue by reallocating taxes from an account(s) that has ceased to exist to the accounts that have resulted from a redevelopment as discussed below.

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

Summary

Section 356 of the Municipal Act as continued under section 322 of the City of Toronto Act permits the apportionment of property taxes when one parcel of land is split into two (2) or more parcels, and the division of land has not yet been captured on the assessment roll for the year. The Act allows the treasurer or an owner of the land to initiate the apportionment of any unpaid taxes for the year in which the application is made and any previous years. The apportionment process does not change the total amount of taxes levied, but rather splits the taxes between the newly created parcels of land. The Act requires that upon receipt of an application to apportion taxes, Council must hold a public meeting at which the applicants and owners of any part of the land may make representation. Authority to hold such public meetings has been delegated to the General Government Committee. This report recommends approval of 26 tax apportionment applications initiated by both taxpayers and the Treasurer for the properties listed in Appendices A and B (attached). This report also recommends a change to the City's current treatment of outstanding penalty/interest that has accrued on unpaid taxes pending the apportionment of those unpaid taxes. As legislative authority now exists, it is recommended that such penalty/interest amounts be written-off.

Background Information

Report- Apportionment of Property Taxes

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1497.pdf>)

Appendix A- Apportionment Report- Treasurer Initiated Tax Apportionments (Jan22/07)

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1498.pdf>)

Appendix B- Apportionment Report- Taxpayer Initiated Tax Apportionments (Jan22/07)

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1499.pdf>)

GG2.10	ACTION			Wards: 20
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Expiration of Parking Lease with Tartu College at City-owned 9 Madison Avenue

(January 30, 2007) report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. Council authorize an agreement which would allow for public parking at 9 Madison Ave. while, if possible, accommodating Tartu College's parking needs, on terms and conditions satisfactory to the Chief Corporate Officer in consultation with the Toronto Parking Authority, including that the lease will terminate if Tartu defaults under the agreement, and in a form satisfactory to the City Solicitor;

2. Council authorize the Chief Corporate Officer, or the Director of Real Estate Services, to approve revisions to the relevant leasing documentation, including amending all or part of the lease and extending or rescinding termination in whole or in part, on such terms and conditions (including any new terms) as are satisfactory to the Chief Corporate Officer, and in a form satisfactory to the City Solicitor;
3. Council authorize the Chief Corporate Officer, or the Director of Real Estate Services, to proceed with termination of the lease for the municipal purpose of providing public parking, in the event that an agreement, satisfactory to the Chief Corporate Officer in consultation with the Toronto Parking Authority, to allow for both public parking and Tartu's needs, cannot be reached;
4. Council grant authority for Tartu to have access over a portion (location on site to be determined) of 9 Madison Ave. to reach Tartu's surface parking on its site, in the event Tartu ceases to have leasehold rights; and
5. Council authorize the Chief Corporate Officer, or his or her designate, to approve and deliver any documentation required to give effect to the foregoing.

Financial Impact

The net income projected by the Toronto Parking Authority for operating a public parking lot on the site is shown in table below (two alternatives are shown based on the potential design of traffic flow – the most feasible design will be selected):

	One-way Traffic	Two-way Traffic
Annual Revenue	\$90,000	\$130,000
Annual Expenses	\$30,000	\$30,000
Net Income	\$60,000	\$100,000

Under the Umbrella Agreement with the Toronto Parking Authority, the City will receive 75% of the projected net income (\$45,000 to \$75,000 annually). The existing rental income from the parking lease with Tartu is \$25,164 per year.

Should an arrangement be reached with Tartu to accommodate its parking and access needs, the projected revenue will need to be revised accordingly.

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

Summary

The purpose of this report is to secure authority for documentation regarding the parking lease with Tartu College (Tartu) at City-owned 9 Madison Ave., so that public parking can be provided on the site.

Background Information

Report-Expiration of Parking Lease with Tartu College at City-Owned 9 Madison Avenue (<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1500.pdf>)

Appendix 1-Location Plan

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1501.pdf>)

Appendix 2-Site Plan

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1502.pdf>)

GG2.11	ACTION			Wards: 18
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Land Lease Renewal - 1011 Dufferin Street

(January 10, 2007) report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. Council grant authority for approval of a new rental rate with the Tenant, Downing Street Holdings (1011 Dufferin Street) Inc., based on the terms and conditions as attached and described herein, and in a form and content acceptable to the City Solicitor;
2. Council grant authority to the Chief Corporate Officer to administer and manage the lease agreement including provision of any consents, approvals, waivers, notices and notice of termination, provided that the Chief Corporate Officer may, at any time, refer for consideration of such matter to City Council for its determination and direction; and
3. Council authorize and direct the appropriate City Officials to take the necessary action to give effect thereto.

Financial Impact

The lease will result in a net rent income of approximately \$75,000.00 per year for a total of \$2,475,000.00 for the full lease term of 33 years. The Tenant will be responsible for all applicable taxes, assessments and costs to the leased lands.

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

Summary

The purpose of this report is to obtain approval for renewal of the land lease with the Tenant, Downing Street Holdings (1011 Dufferin Street) Inc. Staff have negotiated a renewal rate for a further term of 33 years commencing January 1, 2006, subject to the terms and conditions as attached and described herein.

Background Information

Report-Land Lease Renewal - 1011 Dufferin Street

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1503.pdf>)

Appendix 1-Location Plan

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1504.pdf>)

Appendix 2-Site Plan

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1506.pdf>)

Appendix 3-Accepted Proposal

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1505.pdf>)

GG2.12	ACTION			Wards: 5
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Proposed Sale of Surplus Property Portions of 3326 Bloor Street West and 1226 Islington Avenue

(February 1, 2007) report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that if an offer to purchase from SNC that staff can recommend to Council for adoption is received by the City by February 26, 2007, then staff report directly to Council at its meeting of March 5 and 6, 2007.

Financial Impact

There are no financial implications resulting from the adoption of this report. If an offer to purchase from SNC is received by the City, then the financial implications of any transaction will be reported directly to Council at its meeting of March 5 and 6, 2007.

Summary

On July 25, 26 and 27, 2006, City Council adopted Clause 25 of Report No. 5 of the Administration Committee declaring surplus approximately 8,526m² of land at the Bloor Islington intersection, subject to TTC operational requirements, with the intended method of disposal to be a lease and/or sale transaction with SNC Lavalin Group Inc. (SNC) on a sole-source basis for the development of an office tower. Negotiations with SNC have been ongoing, and if an offer to purchase that staff can recommend to Council is received from SNC, staff will report directly to Council at its meeting of March 5 and 6, 2007.

Background Information

Report-Proposed Sale of Surplus Property-Portions of 3326 Bloor Street West & 1226 Islington Avenue

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1507.pdf>)

GG2.13	ACTION			Wards: 7
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Authority for City Solicitor to Recover Costs for Clean Up of Coconut Oil Spill Into Sewer

(January 31, 2007) report from City Solicitor

Recommendations

The City Solicitor recommends that:

1. authority be granted to commence litigation against Gay Lea Foods Co-operative Ltd. to recover approximately \$225,000 in costs incurred as a result of the discharge of coconut oil into the sanitary sewer main, to appeal any decision where warranted, to discontinue or to settle the action or claim where it is concluded that it is reasonable to do so, and to execute any documents in furtherance hereto, all in consultation with the General Manager, Toronto Water; and
2. the appropriate City Officials be authorized and directed to take the necessary action to give effect hereto.

Financial Impact

The recommendations will have no financial impact beyond what has already been approved in the current year's budget.

Summary

This report is to obtain approval to commence litigation against Gay Lea Foods Co-Operative Ltd. to recover costs the City incurred when coconut oil escaped from a vat at the Gay Lea facility, entered the sewer system, and plugged up the City's sanitary sewer main.

Background Information

Report-Authority for City Solicitor to Recover Costs for Clean Up of Coconut Oil Spill into Sewer

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1508.pdf>)

GG2.14	ACTION			Wards: 19
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Legal Proceedings regarding the Animal Shelter Located at Exhibition Place

(January 22, 2007) report from City Solicitor

Recommendations

The City Solicitor recommends that:

1. authority be granted to continue legal proceedings already commenced against Thomas Brown Architects Inc., to ratify any action already taken, 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; and

2. authority be granted to the appropriate City Officials to take the necessary action to give effect thereto.

Financial Impact

The recommendations will have no financial impact beyond what has already been approved in the current year's budget.

Summary

This report is to obtain ratification of the commencement of litigation against the architect/designer of an animal shelter located at Exhibition Place, and for authority to continue to pursue the action against Thomas Brown Architects Inc. ("Brown"). In order to protect the City's interests, the City Solicitor commenced the action against Brown by issuing a Notice of Action on July 28, 2006. The Notice of Action and Statement of Claim were subsequently served on Brown, which delivered a Statement of Defence on December 18, 2006.

Background Information

Report-Legal Proceedings-Animal Shelter-Exhibition Place
<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1509.pdf>

GG2.15	ACTION		Wards: 13
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Ontario Water Resource Act Prosecution by the Ministry of the Environment (Brule Gardens)

Confidential - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (Attachment 1)

(January 31, 2007) report from City Solicitor

Recommendations

The City Solicitor recommends that:

1. Council adopt the confidential instructions and recommendations contained in Attachment 1;
2. Council authorize the public release of the confidential information and recommendations in Attachment 1 when the prosecution and any appeals that may arise therefrom have been completed; and
3. the appropriate City staff be authorized and directed to take the necessary action to give effect to these recommendations.

Financial Impact

The recommendations in this report including the confidential attachment recommendations will have no financial impact beyond what has already been approved in the current year's budget.

Summary

This report is to advise of a prosecution initiated by the Ministry of the Environment against the City and to seek authority respecting the defence of the prosecution. Details related to the conduct of the defence and specific recommendations are contained in the confidential attachment.

Background Information

Report-Ontario Water Resource Act Prosecution by the Ministry of the Environment (Brule Gardens)

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1510.pdf>)

Attachment 1-Confidential Information

GG2.16	ACTION			Wards: All
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Update on City's 3-1-1 Project**Confidential - The security of the property of the municipality and solicitor-client privilege (Attachment 1)**

(February 1, 2007) report from Deputy City Manager Sue Corke and Deputy City Manager and Chief Financial Officer Joseph Pennachetti

Recommendations

Deputy City Manager Sue Corke, and Deputy City Manager and Chief Financial Officer Joseph Pennachetti recommend that:

1. Council adopt the confidential instructions to staff in Attachment 1; and
2. Council authorize the public release of recommendations adopted by Council subject to the ongoing protection of City and Proponent interests and information per the City of Toronto Municipal Code, Chapter 27, Council Procedures, section 27-10, In-camera meetings.

Implementation Points

Immediately upon a decision from Council, the Evaluation Team will commence with the required action. This will minimize delays in the process.

Financial Impact

There is no financial impact arising from the adoption of this report.

Summary

The purpose of this report is to update the General Government Committee on the progress of the 3-1-1 Customer Service Strategy Initiative (3-1-1 Project) to date and to seek approval of the recommendation outlined herein such that the project can continue in a timely manner. The project is on schedule as of the date of this Report. The City's 3-1-1 Evaluating Team has determined that the three proposals received as a result of the City's Request for Proposals (RFP) for the technology portion of the initiative are non compliant and has outlined the various options available to move forward on this project. The Fairness Monitor concurs that the three proposals are non compliant.

Background Information

Report-Update on City's 3-1-1 Project

<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1513.pdf>

Attachment 1-Confidential Information