

## **General Government Committee**

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

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*The Decision Document is for preliminary reference purposes only. Please refer to the Committee's Report to City Council or to the Minutes for the official record.*

### ***How to Read the Decision Document:***

- *recommendations of the Committee to City Council appear after the item heading and any amendments by committee to recommendations appearing in a staff report are italicized;*
- *action taken by the Committee on its own authority does not require Council's approval and is listed in the decision document under the heading "Decision Advice and Other Information" at the end of the item;*
- *Declarations of Interest, if any, appear at the end of an item.*

### **Confirmation of Minutes - January 25, 2007**

### **Communications/Reports**

|              |             |          |        |            |
|--------------|-------------|----------|--------|------------|
| <b>GG2.1</b> | Information | Referred | Policy | Wards: All |
|--------------|-------------|----------|--------|------------|

### **Amending the Fair Wage Schedules Deferred from the January 25, 2007 meeting.**

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

### **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

### **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

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

### **Communications**

(February 13, 2007) communication from Mr. M.J. Deeley, Metropolitan Industrial and Commercial Masonry Contractors Inc. - GGMainGG2.1.1

## Decision Advice and Other Information

The General Government Committee referred the report back to the Manager, Fair Wage Office, with a request that the Manager, Fair Wage Office, report to the Committee on:

1. the Fair Wage rates that would be arrived at by averaging all cities in the GTA with a population of over 100,000, along with the rates set by the Federal and Provincial Governments, plus a ten percent premium added to the overall average, such report to include information on the percentage of construction work done by the federal and provincial governments that is union versus non-union; and
2. the following Motions by Councillor Saundercook:
  - (a) That City of Toronto contracts that include Federal and/or municipal funding be required to follow the Fair Wage policy of that jurisdiction. In instances of multi-jurisdictional funding, the Federal wage schedule would be used; and
  - (b) That the Fair Wage schedule rates be frozen to 2006 levels in an attempt to address the imbalance between the City of Toronto Fair Wage Policy and Federal and Provincial schedules.

|       |             |          |               |            |
|-------|-------------|----------|---------------|------------|
| GG2.2 | Information | Received | Transactional | Wards: All |
|-------|-------------|----------|---------------|------------|

### **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

Report-Quarterly Treasurer's Report on Activities

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrrd/backgroundfile-1484.pdf>)

## Decision Advice and Other Information

The General Government Committee received the report.

|              |             |          |               |            |
|--------------|-------------|----------|---------------|------------|
| <b>GG2.3</b> | Information | Referred | Transactional | Wards: All |
|--------------|-------------|----------|---------------|------------|

### **Awarding of Contracts by Bid Committee**

(January 26, 2007) report from Treasurer

#### **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-1641.pdf>)

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

The General Government Committee referred this matter back to the Treasurer with a request that he report to the next meeting of the Committee on April 12, 2007, on criteria for procurement awards made by the Standing Committees and/or Council.

|              |             |          |               |                           |
|--------------|-------------|----------|---------------|---------------------------|
| <b>GG2.4</b> | Information | Deferred | Transactional | Wards: 37, 38, 39, 40, 41 |
|--------------|-------------|----------|---------------|---------------------------|

### **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

#### **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 Official 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  
<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrrd/backgroundfile-1488.pdf>

### Decision Advice and Other Information

The General Government Committee deferred consideration of the report to the next meeting of the Committee on April 12, 2007 for discussion.

|              |               |                |                      |                   |
|--------------|---------------|----------------|----------------------|-------------------|
| <b>GG2.5</b> | <b>ACTION</b> | <b>Adopted</b> | <b>Transactional</b> | <b>Wards: All</b> |
|--------------|---------------|----------------|----------------------|-------------------|

### Amending By-Law No. 637-2006 for the Levy on Certain Universities and Colleges

(January 26, 2007) report from Treasurer

### Committee Recommendations

The General Government Committee 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 the 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/bgrrd/backgroundfile-1489.pdf>)

|              |               |                |                      |                   |
|--------------|---------------|----------------|----------------------|-------------------|
| <b>GG2.6</b> | <b>ACTION</b> | <b>Adopted</b> | <b>Transactional</b> | <b>Wards: All</b> |
|--------------|---------------|----------------|----------------------|-------------------|

## **Approval to Initiate and Participate in Assessment Review Board Appeals and Respond to other Assessment Matters**

(January 26, 2007) report from Treasurer

### **Committee Recommendations**

The General Government Committee 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/bgrrd/backgroundfile-1492.pdf>)

Appendix A - Appeals Initiated by the Treasurer

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

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

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

|              |               |                |                      |                 |
|--------------|---------------|----------------|----------------------|-----------------|
| <b>GG2.7</b> | <b>ACTION</b> | <b>Adopted</b> | <b>Transactional</b> | <b>Wards: 5</b> |
|--------------|---------------|----------------|----------------------|-----------------|

### **775-779 The Queensway – Designation of a portion of the premises as a Municipal Capital Facility**

(January 26, 2007) report from Treasurer

### Committee Recommendations

The General Government Committee 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  
<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1493.pdf>

|              |        |         |               |            |
|--------------|--------|---------|---------------|------------|
| <b>GG2.8</b> | ACTION | Amended | Transactional | Wards: All |
|--------------|--------|---------|---------------|------------|

### **Cancellation, Reduction or Refund of Property Taxes - Public Hearing - City of Toronto Act 2006**

*Statutory - City of Toronto Act, 2006*

(January 26, 2007) report from Treasurer

#### **Committee Recommendations**

The General Government Committee recommends that the individual appeals pursuant to Section 357 and Section 358 of the *Municipal Act*, 2001 as continued under Section 323 and 325 of the City of Toronto Act, 2006 as provided in the Detailed Hearing Reports marked as Appendix A and Appendix B attached to the report dated January 26, 2007 from the Treasurer, be approved *excluding the following applications to be heard at a future hearing*:

#### Section 357/323

| <i>Ward Number</i> | <i>Appeal Number</i> | <i>Tax Year</i> | <i>Assessment Roll Number</i> | <i>Property Location</i> | <i>Reason for Adjournment</i> | <i>Tax Adjustment</i> |
|--------------------|----------------------|-----------------|-------------------------------|--------------------------|-------------------------------|-----------------------|
| 32                 | 20060061             | 2005            | 1904-09-3-050-12600           | 1982 Queen St. E.        | Under Review                  | \$2,696.55            |
| 28                 | 20060099             | 2006            | 1904-07-4-550-00900           | 6 Howard St.             | Under Review                  | .00                   |
|                    |                      |                 |                               |                          |                               |                       |
|                    |                      |                 |                               |                          | <b>TOTAL</b>                  | <b>\$2,696.55</b>     |

#### **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>)

## Decision Advice and Other Information

The General Government Committee held a statutory hearing on February 15, 2007, in accordance with the *City of Toronto Act, 2006*. No one appeared before the Committee.

|       |        |         |               |            |
|-------|--------|---------|---------------|------------|
| GG2.9 | ACTION | Amended | Transactional | Wards: All |
|-------|--------|---------|---------------|------------|

## Apportionment of Property Taxes

*Statutory - City of Toronto Act, 2006*

(January 26, 2007) report from Treasurer

## Committee Recommendations

The General Government Committee recommends that:

- the individual apportionments made pursuant to Section 322 of the City of Toronto Act, S.O. 2006, as provided in Appendix A of the report (January 26, 2007) from the Treasurer entitled “Apportionment of Property Taxes”, be approved, *excluding the following applications, which will be heard at a future hearing:*

| Page No. | Tax Year | Original Roll No.                       | Tax Roll No. for Apportioned Properties | Tax Apportionment | Ward No. |
|----------|----------|---|---|-------------------|----------|
| 1 of 1   | 2006     | 1904-06-4-510-01700<br>43 Britian St.   | 1904-06-4-510-01701                     |                   |          |
|          |          |   | range to                                |                   |          |
|          |          |   | 1904-06-4-510-01709                     |                   |          |
|          |          |   | Total:                                  | \$21,760.21       | 28       |
| 1 of 1   | 2006     | 1904-11-4-350-03300<br>104 Braemar Ave. | 1904-11-4-350-03301                     |                   |          |
|          |          |   | 1904-11-4-350-03350                     |                   |          |
|          |          |   | Total:                                  | \$6,929.36        | 22       |

2. the individual apportionments made pursuant to Section 322 of the City of Toronto Act, S.O. 2006, as provided in Appendix B of the report (January 26, 2007) from the Treasurer entitled “Apportionment of Property Taxes”, be approved, *excluding the following applications, which will be heard at a future hearing:*

| <i>Page No.</i> | <i>Tax Year</i> | <i>Original Roll No.</i>                            | <i>Tax Roll No. for Apportioned Properties</i> | <i>Tax Apportionment</i> | <i>Ward No.</i> |
|-----------------|-----------------|---|--|--------------------------|-----------------|
| <i>14 of 14</i> | <i>2006</i>     | <i>1908-10-3-140-00930<br/>23 Lesmill Rd. 303-6</i> | <i>1908-10-3-140-00903</i>                     |                          |                 |
|                 |                 |   | <i>1908-10-3-140-00931</i>                     |                          |                 |
|                 |                 |   | <i>Total:</i>                                  | <i>\$34,408.67</i>       | <i>34</i>       |

## 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>)

## Decision Advice and Other Information

The General Government Committee held a statutory hearing on February 15, 2007, in accordance with the *City of Toronto Act, 2006*. No one appeared before the Committee.

|        |        |         |               |           |
|--------|--------|---------|---------------|-----------|
| GG2.10 | ACTION | Adopted | Transactional | Wards: 20 |
|--------|--------|---------|---------------|-----------|

### **Expiration of Parking Lease with Tartu College at City-owned 9 Madison Avenue**

(January 30, 2007) report from Chief Corporate Officer

#### **Committee Recommendations**

The General Government Committee 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 Ave

(<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 | Adopted | Transactional | Wards: 18 |
|--------|--------|---------|---------------|-----------|

### Land Lease Renewal - 1011 Dufferin Street

(January 10, 2007) report from Chief Corporate Officer

### Committee Recommendations

The General Government Committee 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.

## 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>)

## Decision Advice and Other Information

The General Government Committee requested the Chief Corporate Officer to report directly to City Council, if necessary, for its meeting on March 5, 2007, providing market rates for comparable properties.

|        |        |         |               |          |
|--------|--------|---------|---------------|----------|
| GG2.12 | ACTION | Adopted | Transactional | Wards: 5 |
|--------|--------|---------|---------------|----------|

## Proposed Sale of Surplus Property Portions of 3326 Bloor Street West and 1226 Islington Avenue

(February 1, 2007) report from Chief Corporate Officer

## Committee Recommendations

The General Government Committee 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 8,526m<sup>2</sup> 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 St W&1226 Islington Avenue

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

|        |        |         |               |          |
|--------|--------|---------|---------------|----------|
| GG2.13 | ACTION | Adopted | Transactional | Wards: 7 |
|--------|--------|---------|---------------|----------|

## Authority for City Solicitor to Recover Costs for Clean Up of Coconut Oil Spill Into Sewer

(January 31, 2007) report from City Solicitor

## Committee Recommendations

The General Government Committee 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/bgrrd/backgroundfile-1508.pdf>)

### Decision Advice and Other Information

The General Government Committee requested the City Solicitor to report back to the Committee at the conclusion of the case.

|        |        |         |               |           |
|--------|--------|---------|---------------|-----------|
| GG2.14 | ACTION | Adopted | Transactional | Wards: 19 |
|--------|--------|---------|---------------|-----------|

### Legal Proceedings regarding the Animal Shelter located at Exhibition Place

(January 22, 2007) report from City Solicitor

### Committee Recommendations

The General Government 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 | Adopted | Transactional | Wards: 13 |
|--------|--------|---------|---------------|-----------|

## 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

## Committee Recommendations

The General Government 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 | Adopted | Transactional | Wards: All |
|--------|--------|---------|---------------|------------|

### **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

#### **Committee Recommendations**

The General Government Committee recommends 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/bgrrd/backgroundfile-1513.pdf>

Attachment 1-Confidential Information

#### **Declared Interests**

Councillor Cliff Jenkins - in that he has an interest in one of the proponents.

**Meeting Sessions**

| Session Date | Session Type | Start Time | End Time | Public or Closed Session |
|--------------|--------------|------------|----------|--------------------------|
| 2007-02-15   | Morning      | 9:40 AM    | 10:55 AM | Public                   |
| 2007-02-15   | Morning      | 11:00 AM   | 11:30 AM | Closed                   |
| 2007-02-15   | Morning      | 11:35 AM   | 12:30 PM | Public                   |
| 2007-02-15   | Afternoon    | 1:40 PM    | 2:40 PM  | Public                   |