
General Government Committee

Meeting No.	1	Contact	Yvonne Davies, Committee Administrator
Meeting Date	Thursday, January 25, 2007	Phone	416-392-7443
Start Time	9:30 AM	E-mail	ydavies@toronto.ca
Location	Committee Room No. 1, City Hall		

GG1.5	NO AMENDMENT		Transactional	Wards: 28
-------	--------------	--	---------------	-----------

246 The Esplanade - Lease of Parking Garage

City Council Decision

City Council on February 5, 6, 7 and 8, 2007, adopted the following motions:

1. Council grant authority to enter into an agreement with 1099580 Ontario Limited as tenant and Berkeley Castle Investment Ltd. (BCIL) as indemnifier for the Lease at 246 The Esplanade for a five (5) year term from November 1, 2006 to October 31, 2011 at the rental fee calculated on the basis of \$40.00 per parking space per month with respect to the 217 parking spaces proposed to be leased, substantially on the terms and conditions outlined in Appendix "A" to this report and in a form satisfactory to the City Solicitor.
2. The Chief Corporate Officer be authorized 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 matters (including their content) to City Council for its determination and direction.
3. The City Solicitor be authorized to complete the lease transaction, deliver any notices (including termination), and amend the commencement and other dates to such earlier or later date(s), on such terms and conditions, as she may, from time to time, determine.
4. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

(January 9, 2007) report from Chief Corporate Officer

Committee Recommendations

The General Government Committee recommends that:

1. Council grant authority to enter into an agreement with 1099580 Ontario Limited as tenant and Berkeley Castle Investment Ltd. (BCIL) as indemnifier for the Lease at 246 The Esplanade for a five (5) year term from November 1, 2006 to October 31, 2011 at the rental fee calculated on the basis of \$40.00 per parking space per month with respect to the 217 parking spaces proposed to be leased, substantially on the terms and conditions outlined in Appendix "A" to this report and in a form satisfactory to the City Solicitor;
2. the Chief Corporate Officer be authorized 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 matters (including their content) to City Council for its determination and direction;
3. the City Solicitor be authorized to complete the lease transaction, deliver any notices (including termination), and amend the commencement and other dates to such earlier or later date(s), on such terms and conditions, as she may, from time to time, determine; and
4. the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

This lease will result in a base rent income of approximately \$104,160.00 per year, for a total of \$520,800.00 for the full 5-year lease term. The Tenant will be responsible for all operating and realty tax costs.

The City will also receive the total amount of \$400,000.00 with respect to the settlement of arrears regarding unpaid rents on the parking lot leases at 3 Berkley Street (\$194,000.00) and 246 The Esplanade (\$206,000.00). The first \$100,000.00 will be received upon execution of the lease. The remainder will be paid in installments of \$100,000.00 for three years and the unpaid amounts will bear interest at 4.5% per annum.

The lease transaction is conditional upon City staff processing and receiving the necessary approvals within 120 days of November 1, 2006. If the lease transaction is executed by February 28, 2007 payments will be received as follows:

	2007	2008	2009	2010	2011	Total
Base Rent	\$121,520	\$104,160	\$104,160	\$104,160	\$86,800	\$520,800
Settlement	\$200,000	\$100,000	\$100,000			\$400,000
Interest	\$4,500	\$4,500	\$4,500			\$13,500
Total	\$326,020	\$208,660	\$208,660	\$104,160	\$86,800	\$934,300

If the transaction is not completed by the above deadline, the settlement may be revoked by the Tenant (Indemnifier) and the City may again have to negotiate a settlement or pursue the matter through legal means.

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 authority to enter into an agreement with 1099580 Ontario Limited as tenant (Berkeley Castle Investments Ltd. ("BCIL") as indemnifier) for the lease of part of the underground parking garage at 246 The Esplanade (the "Princess Garage") for a five (5) year term from November 1, 2006 to October 31, 2011. Pursuant to the proposed lease agreement, the tenant would rent 217 parking spaces in the Princess Garage at \$40.00 per space per month, for a total rent payment of \$520,800.00 over 5 years. The proposed lease would be substantially on the terms and conditions outlined in Appendix "A" to this report.

In conjunction with the proposed lease agreement for 246 The Esplanade, the parties have also settled outstanding issues regarding unpaid rents on the lease of the 246 The Esplanade parking garage and of another parking lot the City owns located at 3 Berkeley Street.

Background Information

246 The Esplanade - Lease of Parking Garage
<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-865.pdf>

GG1.6	NO AMENDMENT		Transactional	Wards: 28
-------	--------------	--	---------------	-----------

44 Victoria Street – Designation of Portion of Premises as a Municipal Capital Facility

City Council Decision

City Council on February 5, 6, 7 and 8, 2007, adopted the following motions:

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, 1239079 Ontario Ltd., of the property located at 44 Victoria Street in respect of lands leased by the City to house Toronto Public Health's Healthy Environment Program Health Inspectors and the Drug Strategy Team; and
 - b. exempt the leased space at 44 Victoria Street (18th floor) 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 44 Victoria Street; 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.
 4. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

(January 9, 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, 1239079 Ontario Ltd., of the property located at 44 Victoria Street in respect of lands leased by the City to house Toronto Public Health's Healthy Environment Program Health Inspectors and the Drug Strategy Team; and
 - b. exempt the leased space at 44 Victoria Street (18th floor) 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 44 Victoria Street; 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 to be leased by Toronto Public Health (TPH) will allow for a reduction in TPH's operating expenditures of approximately \$35,000 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 \$18,000 in municipal taxes that will no longer be received as revenue by the City, nor will be required to be funded through TPH's annual budget and a further \$17,000 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 \$17,000 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 44 Victoria Street to be occupied by Toronto Public Health's Healthy Environment Program 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 that will be occupied by Toronto Public Health will result in a net financial savings to the City of approximately \$17,000 per year, representing the provincial education share of taxes that will no longer be payable.

Background Information

44 Victoria St-Designation of Portion of Premises as a Mun Capital Facility
(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-868.pdf>)

GG1.7	NO AMENDMENT		Transactional	Wards: 23
-------	--------------	--	---------------	-----------

North York City Centre Service Road Acquisitions

City Council Decision

City Council on February 5, 6, 7 and 8, 2007, adopted the following motions:

1. The Offers to Sell from the Owners of these properties municipally known as 8 Greenview Avenue, 50 Hounslow Avenue and 52 Hounslow Avenue having a net cost to the City of approximately \$2,347,605.00 be accepted substantially on the terms outlined in Appendices "A", "C" & "E" to this report, subject to the 2007 Capital Budget approval, and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept these Offers on behalf of the City.
2. Authority be granted to enter into a leaseback with Kimmie Kwan for the property municipally known as 52 Hounslow Avenue substantially upon the terms and conditions set out in attached in Appendix "E", and in a form acceptable to the City Solicitor.
3. The Chief Corporate Officer shall administer and manage any lease-back described in Recommendation 2, 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 these transactions on behalf of the City, including making payment of any necessary expenses and amending the closing date and the commencement or other leaseback date or other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.
5. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

(January 10, 2007) report from Chief Corporate Officer

Committee Recommendations

The General Government Committee recommends that:

1. the Offers to Sell from the Owners of these properties municipally known as 8 Greenview Avenue, 50 Hounslow Avenue and 52 Hounslow Avenue having a net cost to the City of approximately \$2,347,605.00 be accepted substantially on the terms outlined in Appendices "A", "C" & "E" to this report, subject to the 2007 Capital

Budget approval, and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept these Offers on behalf of the City;

2. authority be granted to enter into a leaseback with Kimmie Kwan for the property municipally known as 52 Hounslow Avenue substantially upon the terms and conditions set out in attached in Appendix "E", and in a form acceptable to the City Solicitor;
3. the Chief Corporate Officer shall administer and manage any lease-back described in Recommendation 2, 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 these transactions on behalf of the City, including making payment of any necessary expenses and amending the closing date and the commencement or other leaseback date or 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
5. the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

The total cost of these acquisitions, is in the amount of approximately \$2,447,550.00 including all taxes and charges. The cost to the City net of GST is \$2,347,605.00 and the funding is available in the 2006 Approved Capital Budget for Transportation Services, Capital Account CTP800-8 (North York Centre). The funding has to be carried forward from 2006 into 2007 and is subject to the 2007 Capital Budget approval. It is anticipated that the 2007 Capital Budget will be approved in the timeframe required to close each of these transactions.

A break down of the contemplated costs for the various properties can be found in Appendices "A", "C", & "E".

Aggregate of Payments to all Owners:		
	Purchase Price (less GST)	\$2,165,750.00
	Inconvenience and Moving	\$126,149.00
	Legal Fees (incl. GST)	\$13,700.00
	Appraisal Fees	\$8,966.00
Aggregate of City's Closing Costs:		
	Land Transfer Taxes – approx.	\$32,740.00
	GST on Purchase Prices	\$129,945.00
	Registration Costs	\$300.00
	Total Costs	\$2,477,550.00
Aggregate Net cost to City less GST		\$2,347,605.00

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

Summary

Transportation Services Division and Real Estate Services seek authority for the City to acquire the properties municipally known as 8 Greenview Avenue, 50 Hounslow Ave and 52 Hounslow Avenue. These properties are required to expand and complete the North York City Centre Service Road.

Negotiations with the owners of these properties (collectively, the “Owners”) have been on going since June of 2006. The Owners have each signed irrevocable offers to sell (“Offer to Sell”) their respective property to the City. Appendices “A”, “C” and “E” to this report describe the salient terms of these proposed acquisitions which are considered fair and reasonable.

Background Information

North York City Centre Service Road Acquisitions
<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-870.pdf>

GG1.9	ACTION		Transactional	Wards: All
-------	--------	--	---------------	------------

Contract for Gasoline and Diesel Fuel (RFQ 6902-06-3226)

City Council Decision

City Council on February 5, 6, 7 and 8, 2007, adopted the following motions:

1. Authority be granted to award a contract to Suncor, which was originally awarded to Shamrock, for the supply and delivery of 7,071,000 litres of clear on-road bio-diesel fuel in the total estimated amount of \$6,013,814.79 net of GST for the period ending December 31, 2007, at an increased cost of \$117,661.44.00 net of GST.
2. Authority be granted to award a contract to Suncor, which was originally awarded to Shamrock, for the supply and delivery of 645,061 litres of coloured off road diesel fuel in the estimated amount of \$463,218.30 net of GST for the period ending December 31, 2007, at an increased cost of \$4,450.92 net of GST.
3. Authority be granted to amend the contract awarded to Suncor, by increasing the quantity of coloured off road diesel fuel in the amount of 1,060,000 litres from 645,061 litres to 1,705,061 litres. The revised quantity increases the contract value by \$761,186.00 net of GST from \$463,218.30 net of GST to \$1,224,404.30 net of GST for the period ending December 31, 2007.
4. Authority be granted to amend the contract awarded to Suncor by increasing the quantity of Unleaded Gasoline in the amount of 142,000 litres from 3,884,600 litres to

4,026,600 litres. The revised quantity increases the contract value by \$129,049.60 net of GST from \$3,530,324.48 net of GST to \$3,659,374.08 net of GST, for the period ending December 31, 2007.

5. Authority be granted to amend the contract awarded to Suncor by increasing the quantity of clear on-road diesel fuel by 500,000 litres from 874,000 litres to 1,374,000 litres. The revised quantity increases the contract value by \$424,100.00 net of GST from \$741,326.80 net of GST to \$1,165,426.80 net of GST, for the period ending December 31, 2007.
6. The Chief Financial Officer, in consultation with the City Solicitor, determine the advisability of proceeding with a legal action against Shamrock and that the City Solicitor be authorized to commence any legal action, if so determined, and to settle or discontinue the action if deemed to be in the best interests of the City.

(January 10, 2007) report from Director, Purchasing and Materials Management Division

Committee Recommendations

The General Government Committee recommends that:

1. authority be granted to award a contract to Suncor, which was originally awarded to Shamrock, for the supply and delivery of 7,071,000 litres of clear on-road bio-diesel fuel in the total estimated amount of \$6,013,814.79 net of GST for the period ending December 31, 2007, at an increased cost of \$117,661.44.00 net of GST;
2. authority be granted to award a contract to Suncor, which was originally awarded to Shamrock, for the supply and delivery of 645,061 litres of coloured off road diesel fuel in the estimated amount of \$463,218.30 net of GST for the period ending December 31, 2007, at an increased cost of \$4,450.92 net of GST;
3. authority be granted to amend the contract awarded to Suncor, by increasing the quantity of coloured off road diesel fuel in the amount of 1,060,000 litres from 645,061 litres to 1,705,061 litres. The revised quantity increases the contract value by \$761,186.00 net of GST from \$463,218.30 net of GST to \$1,224,404.30 net of GST for the period ending December 31, 2007;
4. authority be granted to amend the contract awarded to Suncor by increasing the quantity of Unleaded Gasoline in the amount of 142,000 litres from 3,884,600 litres to 4,026,600 litres. The revised quantity increases the contract value by \$129,049.60 net of GST from \$3,530,324.48 net of GST to \$3,659,374.08 net of GST, for the period ending December 31, 2007;
5. authority be granted to amend the contract awarded to Suncor by increasing the quantity of clear on-road diesel fuel by 500,000 litres from 874,000 litres to 1,374,000 litres.

The revised quantity increases the contract value by \$424,100.00 net of GST from \$741,326.80 net of GST to \$1,165,426.80 net of GST, for the period ending December 31, 2007; and

6. the Chief Financial Officer, in consultation with the City Solicitor, determine the advisability of proceeding with a legal action against Shamrock and that the City Solicitor be authorized to commence any legal action, if so determined, and to settle or discontinue the action if deemed to be in the best interests of the City.

Implementation Points

Once approved by the General Government Committee the Purchasing and Materials Management Division will take the necessary action to implement the recommendations to ensure consistent supply of gasoline and diesel fuel products as required by various City of Toronto operations.

Financial Impact

The additional volume of Unleaded Gasoline, Diesel and pre-blended bio-diesel will increase the contract value by \$1,314,335.60 net of GST as per the table below. Awarding the contracts to Suncor, which were originally awarded to Shamrock, results in an additional \$122,112.36 net of GST, for a total increase of \$1,436,447.96, from \$10,626,572.01 to \$12,063,019.97, net of GST.

Fuel Type	Additional Quantities in Litres	Total Additional Cost
Unleaded Gasoline	142,000	\$ 129,049.60
Clear on road Diesel	500,000	\$ 424,100.00
Coloured off road Diesel	1,060,000	\$ 761,186.00
		\$ 1,314,335.60

The additional costs incurred as a result of cancelling the contract with Shamrock and awarding a contract to the next lowest bidder is approximately \$122,112.36 net of GST.

Funds for these additional costs are available in the following accounts:

Solid Waste Management Services

Clear on-road diesel	SW0709
Coloured off-road diesel	SW0709, SW0800, SW0805, SW0810, SW0815, SW0820, SW0825, SW0830, SW0835

Toronto Water

Unleaded Gasoline	WW200
Clear on-road diesel	WW200
Coloured off-road diesel	WW100 (60%), PW100 (40%)

Transportation Services

Coloured off-road diesel	TP0112
--------------------------	--------

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

Summary

This report requests the authority to increase the volume included in the contracts for Unleaded Gasoline, Diesel Fuel and Pre blended Bio diesel fuels that were awarded as a result of a Request for Quotation (RFQ) issued by the Purchasing and Materials Management Division (PMMD). The increased contract value to Suncor Energy Products Inc. (Suncor) for the fuel identified in this report is \$1,314,335.60 for the 2007 contract period.

Shamrock Fuels Inc. (Shamrock) was awarded contracts for the supply and delivery of pre blended bio diesel fuels and coloured off road diesel fuel for the period January 1, 2007 to December 31, 2007. On December 27, 2006, Shamrock advised PMMD that it is unwilling to perform the contracts. As a result, staff recommends that contracts for the supply and delivery of pre blended bio diesel fuel and coloured off road diesel fuel be awarded to the next lowest bidder, Suncor. The additional cost to the City to purchase the fuel from the next lowest bidder is approximately \$122,112.36 for the 2007 contract period.

This report advises that a sole source contract was issued to Suncor to cover the purchase of diesel fuel and bio diesel fuel products for the period of January 1, 2007 to February 15, 2007 to guarantee a supply of product to meet operational requirements until a new contract is awarded.

Background Information

Contract for Gasoline & Diesel Fuel (RFQ 6902-06-3226)
<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-872.pdf>

GG1.11	NO AMENDMENT		Transactional	Wards: 5
--------	--------------	--	---------------	----------

Authority for City Solicitor to Recover Costs for Clean Up of City-Owned Contaminated Lands

City Council Decision

City Council on February 5, 6, 7 and 8, 2007, adopted the following motion:

1. Authority be granted to commence litigation against the previous owners of the properties municipally known as 1084 and 1078 Islington Avenue (Advance Service Centre Ltd., McColl-Frontenac Inc. and 172965 Canada Limited) to recover \$57,344.55 in costs incurred when contaminated soil was discovered during the construction of a sanitary sewer on City-owned property adjacent to these properties. This authority includes the authority to conduct any appeal and settle the action on terms satisfactory to the City Solicitor.

(January 10, 2007) report from City Solicitor

Committee Recommendations

The General Government Committee recommends that authority be granted to commence litigation against the previous owners of the properties municipally known as 1084 and 1078 Islington Avenue (Advance Service Centre Ltd., McColl-Frontenac Inc. and 172965 Canada Limited) to recover \$57,344.55 in costs incurred when contaminated soil was discovered during the construction of a sanitary sewer on City-owned property adjacent to these properties. This authority includes the authority to conduct any appeal and settle the action on terms satisfactory to the City Solicitor.

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 the previous owners of certain properties to recover costs the City incurred when contaminated soil was discovered during construction carried out on an adjacent City-owned property. This authority also includes authority to settle the action on terms approved by the City Solicitor.

Background Information

Auth.for CS to Recover Costs-Clean up of city-owned contaminated lands
(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-874.pdf>)

GG1.12	NO AMENDMENT		Transactional	Wards: 13
--------	--------------	--	---------------	-----------

Exchange of Rights of Way Affecting Carpark 653

City Council Decision

City Council on February 5, 6, 7 and 8, 2007, adopted the following motions:

1. City Council authorize the grant of a Right of Way ("ROW") through an unused portion of municipal carpark 653 (see sketch attached) for pedestrians and vehicles in favour of the lands and development to be constructed at 2442 Bloor Street West.
2. City Council authorize acceptance of a ROW for pedestrian purposes from the developer to the City through part of the residential condominium portion of the development to be constructed at 2442 Bloor Street West.
3. Both ROWs be terminable if the developer has not commenced construction of a building at 2442 Bloor Street West consistent with the description in Etobicoke York

Community Council Report 3 (Clause 56a) adopted by Council at its meeting of May 23, 24 and 25, 2006 within 2 years following Council adoption of this report, or if no residential condominium has been created within 4 years following Council adoption of this report, and the ROWs be otherwise on terms and conditions satisfactory to the President of the Toronto Parking Authority and the City Solicitor.

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

(January 10, 2007) report from President, Toronto Parking Authority

Committee Recommendations

The General Government Committee recommends that:

1. City Council authorize the grant of a Right of Way (“ROW”) through an unused portion of municipal carpark 653 (see sketch attached) for pedestrians and vehicles in favour of the lands and development to be constructed at 2442 Bloor Street West;
2. City Council authorize acceptance of a ROW for pedestrian purposes from the developer to the City through part of the residential condominium portion of the development to be constructed at 2442 Bloor Street West;
3. both ROWs be terminable if the developer has not commenced construction of a building at 2442 Bloor Street West consistent with the description in Etobicoke York Community Council Report 3 (Clause 56a) adopted by Council at its meeting of May 23, 24 and 25, 2006 within 2 years following Council adoption of this report, or if no residential condominium has been created within 4 years following Council adoption of this report, and the ROWs be otherwise on terms and conditions satisfactory to the President of the Toronto Parking Authority and the City Solicitor; and
4. the appropriate City officials be authorized and directed to take the actions necessary to give effect thereto.

Financial Impact

There will be no financial impact to the Capital Budget.

Summary

City Council recently approved a mixed use development at 2442 Bloor Street West. The property adjoins municipal carpark 653 located on Riverview Gardens, abutting the rear of the new development. The report adopted by Council identifies two access matters concerning the development that need to be addressed, one related to access to the parking garage at the rear, and the other requesting improved pedestrian access between Bloor Street and the TPA carpark, through the development.

The Toronto Parking Authority has negotiated with the owners of 2442 Bloor Street West, Wynn Properties and 1547154 Ontario Inc, to grant mutual rights of way to address these access matters. The purpose of this report is to obtain City Council approval for the grant of a right of way for vehicular and pedestrian access to and from the parking garage in the development over a portion of City owned land which is operated by the Toronto Parking Authority, and for the City to receive, in exchange, a right of way over portions of the condominium project to provide improved pedestrian access to and from Bloor Street for patrons of municipal carpark 653.

Background Information

Exchange of Rights of Way Affecting Carpark 653

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-875.pdf>)

Attachment

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-877.pdf>)

Attachment

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-878.pdf>)

Attachment

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-879.pdf>)

GG1.13	NO AMENDMENT		Transactional	Wards: 26
--------	--------------	--	---------------	-----------

Ground Lease with TD Canada Trust – Carpark 157

City Council Decision

City Council on February 5, 6, 7 and 8, 2007, adopted the following motions:

1. City Council authorize a rent of \$140,000 per annum commencing January 29, 2006, for the renewal term of twenty-one years, pursuant to a ground lease for 1511 Bayview Avenue with Canada Trustco Mortgage Company, entered into in January 29, 1985.
2. The appropriate City officials be authorized and directed to take the actions necessary to give effect thereto.

(January 10, 2007) report from President, Toronto Parking Authority

Committee Recommendations

The General Government Committee recommends that:

1. City Council authorize a rent of \$140,000 per annum commencing January 29, 2006, for the renewal term of twenty-one years, pursuant to a ground lease for 1511 Bayview Avenue with Canada Trustco Mortgage Company, entered into in January 29, 1985; and

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

Financial Impact

There will be no financial impact to the Capital Budget.

Summary

The purpose of this report is to obtain the City's approval of the renewal rent for a ground lease at 1511 Bayview Ave. Pursuant to the original ground lease, the term has automatically renewed for a further twenty-one years on substantially the same terms and conditions as the original lease save and except the rental rate, which is to be at fair market rates, to be determined either by agreement between the parties or by arbitration.

Background Information

Ground Lease with TD Canada Trust - Carpark 157

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-880.pdf>)

Attachment

(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-881.pdf>)

Submitted Thursday, January 25, 2007

Councillor Lindsay Luby, Chair, General Government Committee