
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 2, City Hall		

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Meeting Date Thursday, February 15, 2007
Start Time 9:30 AM
Location Committee Room 2, City Hall

Contact Yvonne Davies, Committee Administrator
Phone 416-392-7443
E-mail ydavies@toronto.ca

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

City Council Decision

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

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

(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/bgrd/backgroundfile-1489.pdf>

GG2.6	NO AMENDMENT		Transactional	Wards: All
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Approval to Initiate and Participate in Assessment Review Board Appeals and Respond to other Assessment Matters

City Council Decision

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

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.
7. The appropriate City staff be authorized and directed to take the necessary action to give effect thereto.

(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/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	NO AMENDMENT		Transactional	Wards: 5
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775-779 The Queensway – Designation of a portion of the premises as a Municipal Capital Facility

City Council Decision

City Council on March 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, 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.
4. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

(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>

GG2.8	NO AMENDMENT		Transactional	Wards: All
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Cancellation, Reduction or Refund of Property Taxes - Public Hearing - City of Toronto Act 2006

City Council Decision

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

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

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

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			00900			
					Total	\$2,696.5

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

Ward Number	Appeal Number	Tax Year	Assessment Roll Number	Property Location	Reason for Adjournment	Tax Adjustment
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
					Total	\$2,696.55

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	NO AMENDMENT		Transactional	Wards: All
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Apportionment of Property Taxes

City Council Decision

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

- 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 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 104 Braemar Ave.	1904-11-4-350-03301		
			1904-11-4-350-03350		
			Total:	\$6,929.36	22

- 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:

General Government Committee Report - Meeting No. 2
Considered by City Council on March 5, 6, 7 and 8, 2007

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

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 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 104 Braemar Ave.	1904-11-4-350-03301		
			1904-11-4-350-03350		
			Total:	\$6,929.36	22

- 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:

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

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	NO AMENDMENT		Transactional	Wards: 20
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Expiration of Parking Lease with Tartu College at City-owned 9 Madison Avenue

City Council Decision

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

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.
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.

(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	NO AMENDMENT		Transactional	Wards: 18
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Land Lease Renewal - 1011 Dufferin Street

City Council Decision

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

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.
3. Council authorize and direct the appropriate City officials 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. 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	REFERRED		Transactional	Wards: 5
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Proposed Sale of Surplus Property Portions of 3326 Bloor Street West and 1226 Islington Avenue

City Council Decision

City Council on March 5, 6, 7 and 8, 2007, referred this Item back to the Government Management Committee for further consideration.

(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 8,526m² 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 St W&1226 Islington
(<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-1507.pdf>)

GG2.13	NO AMENDMENT		Transactional	Wards: 7
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Authority for City Solicitor to Recover Costs for Clean Up of Coconut Oil Spill Into Sewer

City Council Decision

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

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.
2. The appropriate City officials be authorized and directed to take the necessary action to give effect hereto.

(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/bgrd/backgroundfile-1508.pdf>)

Speaker

Councillor Rob Ford

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	NO AMENDMENT		Transactional	Wards: 19
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Legal Proceedings regarding the Animal Shelter located at Exhibition Place

City Council Decision

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

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.
2. Authority be granted to the appropriate City officials to take the necessary action to give effect thereto.

(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/bgrrd/backgroundfile-1509.pdf>)

GG2.15	NO AMENDMENT		Transactional	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)

City Council Decision

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

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.
3. The appropriate City staff be authorized and directed to take the necessary action to give effect to these recommendations.

Confidential Attachment 1 to the report (January 31, 2007) from the City Solicitor remains confidential in its entirety at this time, in accordance with the provisions of the City of Toronto Act, 2006, pending the completion of the prosecution and any appeals that may arise, as it contains information related to litigation or potential litigation and is otherwise subject to solicitor client privilege.

(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 Environment (Brule Gardens)

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

Attachment 1-Confidential Information

GG2.16	AMENDED		Transactional	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)

City Council Decision

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

1. Council adopt the confidential instructions to staff in Attachment 1.
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.

The following recommendations contained in Confidential Attachment 1 to the report (February 1, 2007) from Deputy City Manager Sue Corke and the Deputy City Manager and Chief Financial Officer are now public, as amended. The balance of Attachment 1 remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to the security of the property of the municipality and is otherwise subject to solicitor client privilege:

1. The two Proponents from RFP 3412-06-3061 that passed the technical analysis of their Proposed Solutions be considered as Pre-qualified Proponents for that part of the 3-1-1 Customer Service Strategy Initiative that is detailed in RFP 3412-06-3061.
2. Staff be instructed to issue a new RFP only to the Pre-qualified Proponents on condition that those Proponents who submit a Response confirm that the technical part of their Response to RFP 3412-06-3061, with no changes of any kind, will become part of their Response to the new RFP and any agreement between a Successful Proponent and the City as a result of the new RFP. **The new RFP will restate the need for a turnkey fixed price proposal.**
3. The new RFP process be subject to fairness monitoring.
4. The Deputy City Manager and Chief Financial Officer report back on any financial implications arising from evaluation of new financial submissions of the Pre-qualified Proponents.
5. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto and to report back to Council with the results.

(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/bgrd/backgroundfile-1513.pdf>)

Attachment 1-Confidential Information

Speaker

Councillor Peter Milczyn

Declared Interests

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

Declared Interest (City Council)

Councillor Cliff Jenkins - in that he has an interest in one of the companies listed in the confidential attachment.

Submitted Thursday, February 15, 2007

Councillor Gloria Lindsay Luby, Chair, General Government Committee