

Government Management Committee

Meeting No.	10	Contact	Yvonne Davies, Committee Administrator
Meeting Date	Monday, December 3, 2007	Phone	416-392-7443
Start Time	9:30 AM	E-mail	ydavies@toronto.ca
Location	Committee Room 1, City Hall		

Attendance

Members of the Government Management Committee were present for some or all of the time periods indicated under the section headed “Meeting Sessions”, which appears at the end of the Minutes.

Councillor G. Lindsay Luby, Chair	x
Councillor P. Ainslie	x
Councillor D. Holyday	x
Councillor C. Jenkins	x
Councillor C. Palacio	x
Councillor B. Saundercook, Vice-Chair	x

Minutes

On motion by Councillor Palacio, the Government Management Committee confirmed the minutes of its meeting held on November 8 , 2007

Communications/Reports

GM10.1	ACTION	Amended		Ward: All
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Introduction of New User Fee to Pay Fines On-line

Statutory - City of Toronto Act, 2006

(November 6, 2007) Report from Director, Court Services

Recommendations

The Director of Court Services recommends that:

1. Effective January 1, 2008, a service fee be implemented for on-line payments of Provincial Offences fines through the City’s internet-based Fine Payment module, with the fee to be set at \$1.50 per payment transaction.

2. This fee remain consistent with the user fees payable for parking tickets by those using the on-line payment module.
3. Municipal Code Chapter 441, Fees and Charges, be amended to give effect to these fees and authority be granted for the introduction of the necessary bills.
4. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

If implemented on January 1, 2008, the proposed service fee for on-line will generate an estimated \$162,000 in annual revenues. This amount will be included in the Court Services 2008 Operating Budget submission.

Additional Revenue from Proposed User Fees

User Fees	Estimated volume/year	User Fee	Revenue (full year)
New user fee for paying provincial offences fines made via the City's on-line payment system	108,000	\$1.50 per transaction	\$162,000

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

Summary

This report seeks Council authority to implement a new user fee for the use of the City's internet based portal for payment of Provincial Offences fines received by Toronto Court Services. The new user fee will generate an estimated \$162,000 in revenues in 2008.

Committee Recommendations

On motion by Councillor Ainslie, the Government Management Committee recommended to City Council that:

1. Effective January 1, 2008, a service fee be implemented for on-line payments of Provincial Offences fines through the City's internet-based Fine Payment module, with the fee to be set at \$3.00 per payment transaction and that the amount of this fee be reviewed periodically.
2. This fee remain consistent with the user fees payable for parking tickets by those using the on-line payment module.
3. Municipal Code Chapter 441, Fees and Charges, be amended to give effect to these fees and authority be granted for the introduction of the necessary bills.

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

Decision Advice and Other Information

Notice of the proposed fees discussed in this report was given as required by the City of Toronto Act, 2006, and public notice was posted on the City's website. No one appeared before the Committee.

Motions

Amend motion moved by Councillor Paul Ainslie (Carried) (Final)

That Recommendation 1 in the staff report be amended to read:

“Effective January 1, 2008, a service fee be implemented for on-line payments of Provincial Offences fines through the City’s internet-based Fine Payment module, with the fee to be set at \$3.00 per payment transaction and that the amount of this fee be reviewed periodically.”

Links to Background Information

Report - Introduction of New User Fee to Pay Fines On-line
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8950.pdf>

GM10.2	Information	Deferred		Ward: All
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Councillors’ Access to 3-1-1 Information

(November 16, 2007) Report from City Manager

Financial Impact

No financial impact beyond what has already been approved in the current year’s budget.

Summary

Mr. George Rust-D'Eye of the firm Weir Foulds LLP has been retained by the City of Toronto to prepare the opinion requested by Council.

The motion put forward by Councillor Palacio is very similar to the IBMS issue and will be dealt with in Mr. Rust-D'Eye's legal opinion.

The legal opinion with respect to the right of access to information by Members of the public and Members of Council will address access to the 3-1-1 system.

Decision Advice and Other Information

On motion by Councillor Palacio, the Government Management Committee deferred consideration of this report to its next meeting on January 18, 2008, for public presentation and debate.

Links to Background Information

Report - Councillors' Access to 3-1-1 Information

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8951.pdf>)

GM10.3	Presentation	Received		
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Trends in Technology and Enterprise Architecture**Summary**

Presentation by Chief Information Officer

Speakers

Dave Wallace, Chief Information Officer, Information and Technology Division, gave a PowerPoint presentation.

Decision Advice and Other Information

On motion by Councillor Saundercook, the Government Management Committee received the presentation for information.

Links to Background Information

PowerPoint Presentation - Enterprise Architecture and Technology Trends

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-9235.pdf>)

GM10.4	ACTION	Amended		Ward: All
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Extension of City of Toronto Telecommunications Infrastructure (COTTI) Contracts

(November 19, 2007) Report from Chief Information Officer, Information and Technology Division, and Director, Purchasing and Materials Management Division

Recommendation

The Chief Information Officer, Information and Technology Division, and Director, Purchasing and Materials Management Division, recommend that:

1. City Council grant approval, subject to Divisional Operating Budget approval in each year, to extend the City of Toronto Telecommunications Infrastructure (COTTI) voice and data contracts with Bell Canada for an additional two years from January 15, 2009 to January 14, 2011 at a cost not to exceed \$17,010,872 net of GST for 2009 and \$18,711,959 net of GST for 2010 for a total potential cost of \$35,722,831 net of GST.

Financial Impact

The total potential upset cost for the contract extension is \$37,707,432.72 including all taxes and charges. The total potential cost to the City is \$35,722,831 net of GST for 2009 and 2010. The cost of the COTTI voice and data contracts will be funded from Divisions' Operating Budgets. Funding for the contracts extensions will be included in future operating budget submissions by Divisions in 2009 and 2010. The rates and prices for the data and voice infrastructure services will not increase for the contract extensions, however, the total annual authority limit will increase by about 10% per year to accommodate the City's potential demand increases for data bandwidth and voice communications services.

Year	Voice cost net of GST	Data cost net of GST	Cost net of GST
2009	\$10,772,711	\$6,238,161	\$17,010,872
2010	\$11,849,982	\$6,861,977	\$18,711,959
Total	\$22,622,693	\$13,100,138	\$35,722,831

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 request City Council's authority for the City to exercise its option to extend the existing City of Toronto Telecommunications Infrastructure (COTTI) voice and data contracts for an additional two years to January 14, 2011.

The timelines required to complete this complex procurement call and possible implementation cutover to a new vendor necessitate the extension period requested.

The alternatives of moving to a month to month agreement is not considered feasible as this would result in a 92% increase in monthly telephone line rates and a 65% increase in data communications rates, which could cost the City several million dollars.

Committee Recommendations

On motion by Councillor Jenkins, the Government Management Committee recommended to City Council that:

1. City Council grant approval, subject to Divisional Operating Budget approval in each year, to extend the City of Toronto Telecommunications Infrastructure (COTTI) voice

and data contracts with Bell Canada for an additional two years from January 15, 2009 to January 14, 2011 at a cost not to exceed \$17,010,872 net of GST for 2009 and \$18,711,959 net of GST for 2010 for a total potential cost of \$35,722,831 net of GST.

2. The contract be structured to permit the reduction of current lines during VOIP implementation by up to 25 percent without exposing the City to increased tariffs.
3. The Chief Information Officer and the Director of Purchasing and Materials Management Division take every opportunity to accelerate the COTTI RFP.

Motions

Amend motion moved by Councillor Cesar Palacio (Carried)

That the Chief Information Officer and the Director of Purchasing and Materials Management Division take every opportunity to accelerate the COTTI RFP.

Amend motion moved by Councillor Cliff Jenkins (Carried)

That the contract be structured to permit the reduction of current lines during VOIP implementation by up to 25 percent without exposing the City to increased tariffs.

Links to Background Information

Report - Extension of City of Toronto Telecommunications Infrastructure (COTTI) Contracts (<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8952.pdf>)

Appendix 1 - GM10-4

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8953.pdf>)

Appendix 2 - GM10-4

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8954.pdf>)

GM10.5	ACTION	Adopted		Ward: All
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Updates to the Financial Control, Purchasing and Signing Authority By-Laws

(November 16, 2007) Report from City Manager and Deputy City Manager and Chief Financial Officer

Recommendations

The City Manager and the Deputy City Manager and Chief Financial Officer recommend that:

1. Council approve the amendments to the Financial Control, Purchasing and Signing Authority By-laws substantially in the form of the draft by-law attached as Appendix 1 to this report.

2. Council direct the appropriate City officials to take the necessary action to give effect thereto.

Financial Impact

There are no financial implications as a result of this report.

Summary

This report requests Council's authority to update the Financial Control By-Law, Purchasing and Signing Authority By-Laws to accommodate the addition of three new accountability officers of Council (Integrity Commissioner, Lobbyist Registrar and Ombudsman), to change the appropriate references from the Municipal Act to the City of Toronto Act and to change the staff delegated threshold for accounts receivable and taxes receivable write-offs.

Approval of these changes will protect the accountability officers' independence and align the delegation of authority thresholds.

Committee Recommendations

On motion by Councillor Lindsay Luby, the Government Management Committee recommended to City Council that:

1. Council approve the amendments to the Financial Control, Purchasing and Signing Authority By-laws substantially in the form of the draft by-law attached as Appendix 1 to this report.
2. Council direct the appropriate City officials to take the necessary action to give effect thereto.

Links to Background Information

Report - Updates to the Financial Control, Purchasing and Signing Authority By-Laws
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8955.pdf>

GM10.6	Information	Received		Ward: All
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Quarterly Treasurer's Report on Activities of the Accounting Services and the Purchasing and Materials Management Divisions – September 30, 2007

(November 15, 2007) Report from Treasurer

Financial Impact

There are no financial implications as a result of this report.

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 (PMMD).

This report provides a brief analysis of the performance indicators for Accounting Services and the Purchasing and Materials Management Divisions for the first nine months of 2007. Staff will continue to monitor these indicators in assessing the success of the improvement initiatives that are currently underway.

Decision Advice and Other Information

On motion by Councillor Saundercook, the Government Management Committee received this report for information.

Links to Background Information

Report - Quarterly Treasurer's Report on Activities of the Accounting Services and the Purchasing and Materials Management Divisions - September 30, 2007
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8956.pdf>

GM10.7	ACTION	Adopted		Ward: 26
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Leasing Up to 800 sq.ft. of Rentable Area of Data Centre Space to Co-Locate Information and Technology Division Computer Hardware at 73 Laird Drive

(November 19, 2007) Report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. Council authorize the Chief Corporate Officer, in consultation with the Chief Information Officer, to negotiate the terms and conditions of a lease (the "Lease") of the property at 73 Laird Drive and of any necessary or desirable customer facility service agreement (the "Service Level Agreement") with TELUS Communications, or any related entity, (the "Landlord"), consisting of a rentable area of up to 800 sq.ft. approximately, at a gross rental rate of \$50.00 per sq.ft. per month, a maximum five (5) year Term, and based substantially on the terms and conditions as set out attached Appendix "A", subject to such further revisions and other terms and conditions as may be deemed appropriate by the Chief Corporate Officer and the Chief Information Officer in consultation with the City Solicitor.

2. Should the above negotiations be successful, authority be granted for the City to enter into any such Lease and the Service Level Agreement described above, in form approved by the City Solicitor.
3. The Chief Corporate Officer be authorized to administer and manage the Lease including the provision of any consents, approvals, waiver notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.

Financial Impact

The total expenditure for a full Five (5) year Lease Term commencing in early 2008, is estimated to be approximately \$1,846,000, plus GST, which includes a one-time set-up fee of \$40,000. Funding in the amount of \$1,846,000 is available in the Recommended 2008 Capital Budget and 2009-2012 Capital Plan for Information and Technology in account CIT047-01. For the future years 2009-2012 there will be a need to re-allocate the cash flow to match the amounts required in each of those years.

Year	SQFT Required (Incremental)	Monthly Costs based on \$50/SQFT	Yearly Costs Incremental	Total Costs Cumulative
Year 1	310	\$15,500	\$186,000	\$186,000
Year 2	190	\$ 9,500	\$114,000	\$300,000
Year 3	150	\$ 7,500	\$ 90,000	\$390,000
Year 4	100	\$ 5,000	\$ 60,000	\$450,000
Year 5	50	\$ 2,500	\$ 30,000	\$480,000
				\$1,806,000

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

Summary

This report seeks authorization for the Chief Corporate Officer, in consultation with the Chief Information Officer, to negotiate and approve a new lease agreement and customer facility service level agreement to accommodate Information & Technology Division's ("I&T") data centre space requirements, of up to 800 rentable sq. ft., at 73 Laird Drive for a (5) year term, based substantially on the terms and conditions set out in attached Appendix "A".

Committee Recommendations

On motion by Councillor Palacio, the Government Management Committee recommended to City Council that:

1. Council authorize the Chief Corporate Officer, in consultation with the Chief Information Officer, to negotiate the terms and conditions of a lease (the "Lease") of the property at 73 Laird Drive and of any necessary or desirable customer facility service

agreement (the “Service Level Agreement”) with TELUS Communications, or any related entity, (the “Landlord”), consisting of a rentable area of up to 800 sq.ft. approximately, at a gross rental rate of \$50.00 per sq.ft. per month, a maximum five (5) year Term, and based substantially on the terms and conditions as set out attached Appendix “A”, subject to such further revisions and other terms and conditions as may be deemed appropriate by the Chief Corporate Officer and the Chief Information Officer in consultation with the City Solicitor.

2. Should the above negotiations be successful, authority be granted for the City to enter into any such Lease and the Service Level Agreement described above, in form approved by the City Solicitor.
3. The Chief Corporate Officer be authorized to administer and manage the Lease including the provision of any consents, approvals, waiver notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.

Links to Background Information

Report - Leasing Up to 800 sq.ft. of Rentable Area of Data Centre Space to Co-Locate Information & Technology Division Computer Hardware at 73 Laird Drive

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8957.pdf>)

Appendix A - GM10-7

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8958.pdf>)

Appendix B - GM10-7

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8959.pdf>)

GM10.8	ACTION	Deferred		Ward: 25
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1132 Leslie Street – License to Sunnybrook Stables Limited for Operation of a Horse Riding Facility in Sunnybrook Park

(November 15, 2007) Report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. Council authorize entering into a License Agreement with Sunnybrook Stables Limited (the “**Licensee**”) to use and occupy the horse riding facility in Sunnybrook Park, consisting of two residences, two barns/stables, one indoor riding arena and one outdoor riding ring, shown as Parts 1, 2, 3, 4, 6, & 7 on “Appendix B”, (the “**Premises**”) for the operation of a public horse riding stable, commencing on January 1st, 2008 and expiring on December 31st, 2017, substantially on the terms and conditions as set out in

“Appendix A” and on such other terms and conditions as approved by the Chief Corporate Officer, or his or her designate, and in a form and content acceptable to the City Solicitor.

2. The Chief Corporate Officer be authorized to administer and manage the License 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.

Financial Impact

The proposed agreement sets a minimum fee of \$137,000.00 per year, for a total of \$1,370,000.00 for the ten (10) year term, commencing on January 1, 2008. Throughout the term, the Licensee will also perform approximately \$128,000.00 of various capital improvements on the buildings. The final cost of these improvements will be amortized against the minimum fee on a straight-line basis throughout the term. This translates into an amortized amount of approximately \$12,800.00 per year that will be credited against the minimum fee owed by the Licensee. As a result, the net revenue to the City will be approximately \$124,200.00 per year for a total of \$1,242,000.00 over the ten (10) year term. This License is fully net and carefree to the City so that all operating and capital maintenance costs are the responsibility of the Licensee.

The revenues are included in the 2008 budget, as submitted, and will be included in future operating budgets.

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

Summary

The purpose of this report is to obtain authority to enter into a License Agreement with Sunnybrook Stables Limited for the operation of a horse riding facility in Sunnybrook Park, commencing on January 1st, 2008. The proposed License is for a ten (10) year term with a five (5) year extension option at market value.

Decision Advice and Other Information

On motion by Councillor Jenkins, the Government Management Committee deferred consideration of this item to the next meeting of the Government Management Committee on January 18, 2008, and requested the Chief Corporate Officer to report back at that time, in confidential and public form as appropriate, on:

1. the business evaluation made by the independent advisor;
2. the commercial property taxes now expected to be achieved annually in the business portion of the lease;

- 3 the separate residential lease;
4. the opportunity to collect taxes, via omitted or supplementary assessments by MPAC, for the years 2005 – 2007 and earlier years;
- 5 an appropriate accelerator clause which may be included to account for market increase in value; and
- 6 the advantages and disadvantages of a shorter lease term.

Motions

Meet in Closed Session motion moved by Councillor Cliff Jenkins (Final)

Meet in Closed Session to ask questions of staff about security of the corporation.

Links to Background Information

Report - 1132 Leslie Street - License to Sunnybrook Stables Limited for Operation of a Horse Riding Facility in Sunnybrook Park

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8960.pdf>)

Appendix A - GM10-8

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8961.pdf>)

Appendix B - GM10-8

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8962.pdf>)

Appendix C - GM10-8

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8963.pdf>)

Confidential Minute GM10.8

GM10.9	ACTION	Adopted		Ward: 1, 3, 7, 8, 11, 12, 20, 24, 28, 35, 37, 40, 43
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Child Care Lease Agreements Between City of Toronto and Toronto Community Housing Corporation

(November 19, 2007) Report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. Council authorize the City, as tenant, to enter into sixteen (16) lease agreements with Toronto Community Housing Corporation, as landlord, for each of the childcare locations listed in Appendix “A”, substantially on the terms and conditions set out in Appendix “A”, together with such other terms and conditions deemed appropriate by the Chief Corporate Officer and in form satisfactory to the City Solicitor.

2. Council grant authority for the Chief Corporate Officer to administer and manage the lease agreements 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.

Financial Impact

The total expenditure for the five (5) year term of the lease, commencing January 1, 2004, is estimated to be approximately \$4,773,247 plus GST, of which \$3,814,972 has been paid to date and the balance of \$958,275 is included in Children's Services' 2008 Operating Budget Submission.

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 Council's authority for the City, as tenant, to enter into sixteen (16) lease agreements with Toronto Community Housing Corporation, as landlord, for child care locations throughout the City.

Committee Recommendations

On motion by Councillor Ainslie, the Government Management Committee recommended to City Council that:

1. Council authorize the City, as tenant, to enter into sixteen (16) lease agreements with Toronto Community Housing Corporation, as landlord, for each of the childcare locations listed in Appendix "A", substantially on the terms and conditions set out in Appendix "A", together with such other terms and conditions deemed appropriate by the Chief Corporate Officer and in form satisfactory to the City Solicitor.
2. Council grant authority for the Chief Corporate Officer to administer and manage the lease agreements 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.

Links to Background Information

Report - Child Care Lease Agreements Between City of Toronto and Toronto Community Housing Corporation

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8964.pdf>

GM10.10	ACTION	Adopted		Ward: 5
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Memorandum of Understanding for Kipling Improvements to Implement the Kipling / Islington Redevelopment Initiative

(November 19, 2007) Report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. The Chief Corporate Officer be authorized to execute an MOU regarding the Kipling Improvements substantially on the terms set out in Attachment 1 and on such other or amended terms as are acceptable terms to the Chief Corporate Officer.
2. The City take appropriate steps under the Municipal Class Environmental Assessment to stop up and close the eastern portion of Subway Crescent to facilitate the Kipling Improvements project.
3. Notice be given to the public of a proposed by-law to permanently close the eastern portion of Subway Crescent, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code and the Etobicoke York Community Council hear any member of the public who wishes to speak to this matter.
4. Following the closure of the eastern portion of Subway Crescent, easements be granted to any affected utility companies for any existing utilities plant located in the road allowance or with the consent of the said utility companies, the utilities plant be relocated, adjusted or abandoned, at the sole cost of the purchaser of Subway Crescent, with such costs to be determined by the appropriate utility companies.
5. The eastern portion of Subway Crescent property shown as Part 1 on Sketch PS-2007-281, (the Sketch) together with the lands to the south required for the Kipling inter-regional bus terminal, shown as Part 2 on the Sketch, be declared surplus, subject to required easements acceptable to the Chief Corporate Officer, for the purpose of transfer to GO Transit at fair market value.
6. The City provide access and construction rights to GO to undertake the Kipling Improvements on lands owned by the City and/or leased by the City on terms satisfactory to the Chief Corporate Officer.
7. The appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

Financial Impact

The Province has committed to capital funding in the order of \$30,000,000 for the Kipling portion of the K/I Initiative. Mississauga Transit has committed to \$5,500,000 in capital funding to the project. GO will manage these funds in the design and construction of the Kipling Improvements and will be responsible for any budget overruns. Consequently, the

Kipling Improvements should have no financial implications for the City. These budget estimates are based on design work that had advanced to the 10% stage; as design work continues these estimates may be revised. It is intended that the TTC will be reimbursed for its costs up to and including the achievement of the 60% design milestone for the Kipling Improvements.

The proposed transfer of City-owned property to GO for the inter-regional terminal construction would be at fair market value and would result in a revenue of approximately \$360,000 - \$400,000 for the Land Acquisition Reserve Fund (LARF) to be applied to the City's costs for the improvements to be constructed at Islington as part of the K/I Initiative.

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

Summary

The terms of a Memorandum of Understanding (MOU) providing for the construction of the improvements for the Kipling portion (the Kipling Improvements) of the Kipling/Islington Redevelopment Initiative (K/I Initiative) are being negotiated between staff of the City, Toronto Transit Commission (TTC), GO Transit (GO) and Mississauga Transit (MT). While the MOU has not yet been finalized, the parties have agreed that GO will assume the design and construction of the majority of the Kipling Improvements from the TTC as of November 15, 2007 in order to meet scheduled construction dates. This report seeks authority for the Chief Corporate Officer to execute the MOU substantially on the terms set out in Attachment 1 when negotiations are finalized.

As required by the MOU, this report also seeks authority to take the required steps under the Municipal Class Environmental Assessment to stop up and close the eastern portion of Subway Crescent. Authority is also sought to declare surplus the City-owned lands required for the construction by GO of the new inter-regional terminal, with the proposed method of disposal to be a transfer to GO at fair market value.

Links to Background Information

Report - Memorandum of Understanding for Kipling Improvements to Implement the Kipling / Islington Redevelopment Initiative

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8965.pdf>)

Attachment 2 - GM10-10

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8966.pdf>)

10a Kipling Station Redevelopment Handover to GO Transit

(November 15, 2007) Letter from General Secretary, Toronto Transit Commission (TTC)

Summary

At its meeting on Wednesday, November 14, 2007, the Commission considered a report entitled, "Kipling Station Redevelopment Handover to GO Transit. Recommendation 4 is forwarded for the Government Management Committee's consideration.

Links to Background Information

Letter - Kipling Station Redevelopment Handover to GO Transit

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8967.pdf>)

Attachments 1, 2 & 3 - GM10-10a

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8979.pdf>)

Committee Recommendations

On motion by Councillor Holyday, the Government Management Committee recommended to City Council that:

1. The Chief Corporate Officer be authorized to execute an MOU regarding the Kipling Improvements substantially on the terms set out in Attachment 1 and on such other or amended terms as are acceptable terms to the Chief Corporate Officer.
2. The City take appropriate steps under the Municipal Class Environmental Assessment to stop up and close the eastern portion of Subway Crescent to facilitate the Kipling Improvements project.
3. Notice be given to the public of a proposed by-law to permanently close the eastern portion of Subway Crescent, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code and the Etobicoke York Community Council hear any member of the public who wishes to speak to this matter.
4. Following the closure of the eastern portion of Subway Crescent, easements be granted to any affected utility companies for any existing utilities plant located in the road allowance or with the consent of the said utility companies, the utilities plant be relocated, adjusted or abandoned, at the sole cost of the purchaser of Subway Crescent, with such costs to be determined by the appropriate utility companies.
5. The eastern portion of Subway Crescent property shown as Part 1 on Sketch PS-2007-281, (the Sketch) together with the lands to the south required for the Kipling inter-regional bus terminal, shown as Part 2 on the Sketch, be declared surplus, subject to required easements acceptable to the Chief Corporate Officer, for the purpose of transfer to GO Transit at fair market value.
6. The City provide access and construction rights to GO to undertake the Kipling Improvements on lands owned by the City and/or leased by the City on terms satisfactory to the Chief Corporate Officer.
7. The appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

Decision Advice and Other Information

The Government Management Committee received the letter (November 15, 2007) from the General Secretary, Toronto Transit Commission (TTC) for information.

GM10.11	ACTION	Referred		Ward: 20
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Sale of City-owned Leased Property at 192A Bloor Street West to McDonald's Restaurants of Canada Limited

(November 16, 2007) Report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. The Offer to Purchase from McDonald's of that portion of the City-owned land located at 192A Bloor Street West being Part of Lot 1 on Registered Plan 289, the said portion being shown as Parts 1, 2 and 5 on Sketch No. PS-2007-278 attached (the "Property") be accepted substantially on the terms and conditions outlined in Appendix "A" to this report, and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept the Offer on behalf of the City.
2. The surplus declaration with respect to that portion of Lot 1 on Registered Plan 289 depicted as Parts 3 and 4 on Sketch PS-2007-278 be rescinded.
3. The City enter into an encroachment agreement with McDonald's to allow the existing structure and appurtenances to remain within that portion of the land to be retained by the City shown as Part 3 on Sketch PS-2007-278 for the life of the existing building.
4. The City Solicitor be authorized to complete the transaction(s) on behalf of the City, including making payment of any necessary expenses and amending the closing and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.

Financial Impact

Revenue in the amount of \$3,380,000.00 plus GST, if applicable, less closing costs and the usual adjustments is anticipated from this sale. The sale price includes the balance of the outstanding revised rental payments for the 3 years since January 1, 2005, in the net amount of \$538,500.00.

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 authorize the stratification and sale of a City-owned surplus property municipally known as 192A Bloor Street West, currently leased to McDonald's Restaurants of Canada Limited ("McDonald's").

Having completed negotiations with McDonald's, we are seeking authority to enter into an agreement of purchase and sale with McDonald's substantially on the terms and conditions outlined in the attached Appendix "A".

The terms for completing the transaction, as set out herein, are considered to be fair, reasonable and reflective of market value.

Speaker

Councillor Adam Vaughan

Decision Advice and Other Information

On motion by Councillor Doug Holyday, the Government Management Committee referred this item and the motions made during the in camera session to the Chief Corporate Officer for report back to the next meeting of the Government Management Committee on January 18, 2008.

Motions

Meet in Closed Session motion moved by Councillor Cesar Palacio (Final)

Meet in Closed Session to ask questions of staff about a solicitor-client privilege.

Links to Background Information

Report - Sale of City-owned Leased Property at 192A Bloor Street West to McDonald's Restaurants of Canada Limited

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8968.pdf>

Appendix A - GM10-11

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8969.pdf>

Appendix B - GM10-11

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8970.pdf>

Confidential Minute GM10.11

GM10.12	ACTION	Adopted		Ward: 27
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Limiting Distance Agreement – Rear of 195 Avenue Road (Ramsden Park)

(November 14, 2007) Report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. The City enter into a Limiting Distance Agreement with the property owner of 195 Avenue Road for a portion of Ramsden Park for the amount of \$25,000.00 plus GST and subject to the property owner paying an administration fee of \$570.00 plus GST, and on such terms and conditions, as are satisfactory to the Chief Corporate Officer, in a form and content acceptable to the City Solicitor.

Financial Impact

Revenue in the total amount of \$25,000.00 is anticipated.

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

Summary

To obtain authority to enter into a Limiting Distance Agreement to permit the property owner of 195 Avenue Road a greater percentage of openings than the limiting distance provisions of Section 3.2.3.1 of the Ontario Building Code.

Committee Recommendations

On motion by Councillor Saundercook, the Government Management Committee recommended to City Council that:

1. The City enter into a Limiting Distance Agreement with the property owner of 195 Avenue Road for a portion of Ramsden Park for the amount of \$25,000.00 plus GST and subject to the property owner paying an administration fee of \$570.00 plus GST, and on such terms and conditions, as are satisfactory to the Chief Corporate Officer, in a form and content acceptable to the City Solicitor.

Links to Background Information

Report - Limiting Distance Agreement - Rear of 195 Avenue Road (Ramsden Park)

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8971.pdf>)

Appendix A - GM10-12

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8972.pdf>)

GM10.13	ACTION	Adopted		Ward: 6
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Proposed Settlement – Red Carpet Inns Limited – Motel Strip Expropriations Proceedings

Confidential Attachment - The receiving of advice that is subject to solicitor-client privilege - (Confidential Attachment 1)

(November 19, 2007) Report from City Solicitor and Deputy City Manager and Chief Financial Officer

Recommendations

The City Solicitor and Deputy City Manager and Chief Financial Officer recommend that:

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

2. In view of the confidentiality provisions contained within the proposed settlement agreement, the confidential information and recommendations in Attachment 1 remain confidential.

Summary

This report requests authorization to settle an expropriation claim advanced by Red Carpet Inns Limited (“Red Carpet”) against the Toronto and Region Conservation Authority (“TRCA”) in respect of lands in the motel strip area in accordance with a signed settlement agreement discussed in the confidential attachment.

This report also requests authority to reimburse TRCA for the City’s share of any settlement funds paid out by TRCA.

This report also reviews the status of outstanding Motel Strip expropriation claims and the status of discussions with the Province of Ontario respecting cost sharing for motel strip expropriation expenditures.

This report deals with potential litigation that affects the City and contains advice or communications that are subject to solicitor-client privilege. It also contains details respecting confidential settlement agreements. The information concerning the settlement, the status of motel strip expropriations and staff recommendations in this regard are being provided as confidential material.

Committee Recommendations

On motion by Councillor Ainslie, the Government Management Committee recommended to City Council that:

1. City Council adopt the confidential instructions to staff in Attachment 1.
2. In view of the confidentiality provisions contained within the proposed settlement agreement, the confidential information and recommendations in Attachment 1 remain confidential.

Links to Background Information

Report - Proposed Settlement - Red Carpet Inns Limited - Motel Strip Expropriations Proceedings

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrrd/backgroundfile-8973.pdf>)

Confidential Attachment 1 - GM10-13

GM10.14	ACTION	Amended		Ward: 17
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A Resolution of Legal Claims and Disposition of Surplus Land - 11R Hounslow Heath Road

Confidential Attachment - The receiving of advice that is subject to solicitor-client privilege - (Confidential Attachment 1)

(November 19, 2007) Report from City Solicitor, and Chief Corporate Officer

Recommendations

The City Solicitor and the Chief Corporate Officer recommend that:

1. City Council adopt the confidential instructions to staff in Attachment 1.
2. City Council authorize, as approving authority, the approval of the disposal of the expropriated lands to parties, other than those from whom the land was expropriated, without first giving those expropriated owners the right they would otherwise have of first chance to repurchase the lands set out in Section 42 of the *Expropriations Act*.
3. City Council authorize the public release of the confidential information and recommendation in Attachment 1, if any settlement is finalized to the satisfaction of the City Solicitor.
4. That authority be granted to the appropriate City Officials to take the necessary action to give effect thereto.

Summary

This report is to update City Council on legal proceedings respecting the expropriation of 11R Hounslow Heath Road, to provide an update on the environmental remediation of the expropriated land and surrounding lands.

Committee Recommendations

On motion by Councillor Palacio, the Government Management Committee recommended to City Council that:

1. City Council adopt the confidential instructions to staff in Attachment 1.
2. City Council authorize, as approving authority, the approval of the disposal of the expropriated lands to parties, other than those from whom the land was expropriated, without first giving those expropriated owners the right they would otherwise have of first chance to repurchase the lands set out in Section 42 of the *Expropriations Act*.

3. City Council authorize the public release of the confidential information and recommendation in Attachment 1, if any settlement is finalized to the satisfaction of the City Solicitor.
4. That authority be granted to the appropriate City Officials to take the necessary action to give effect thereto.

Decision Advice and Other Information

On motion by Councillor Palacio, the Government Management Committee requested that the Deputy City Manager and Chief Financial Officer report to the next meeting of the Government Management Committee on January 18, 2008, on the proceeds from the sale of 80 Turnberry Avenue which was specifically allocated by City Council for the expropriation of the lands municipally known as 11R Hounslow Heath Road; the cleaning up of surrounding lands; opening of a public laneway; and general improvements to Wadsworth Park and the local area.

Motion moved by Councillor Cesar Palacio (**Carried**) which was carried on the following recorded vote:

For: Councillor Ainslie, Councillor Holyday, Councillor Jenkins,
Councillor Lindsay Luby, Councillor Palacio and Councillor Saundercook.

Against: None.

Motions

Meet in Closed Session motion moved by Councillor Paul Ainslie (Final)

Meet in Closed Session to ask questions of staff about a solicitor-client privilege.

Links to Background Information

Report - A Resolution of Legal Claims and Disposition of Surplus Land - 11R Hounslow Heath Road

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrrd/backgroundfile-8975.pdf>

Confidential Attachment 1 - GM10-14

Confidential Minute GM10.14

GM10.15	Information	Received		Ward: All
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2006 Annual Report of the City of Toronto Archives

(October 17, 2007) Report from City Clerk

Financial Impact

There are no financial implications associated with this report.

Summary

The City Clerk is required as part of the Acquisition Policy approved by City Council in 1999 to report annually on the acquisitions and activities of the Archives program, a business unit of Records and Information Management in the City Clerk's Office. The report contains information detailing progress made with archival acquisitions, descriptive standards, research and reference services and education and outreach provided to City staff and the public. It also reflects our initiatives in expanding public access to our important archival holdings through the Archives' on-line database by enhancing the digitization program to address the steadily accelerating demand for the provision of electronic information.

Of particular note in the 2006 report is information about the development and expansion of the Archives' digitization program as a result of capital funding.

Decision Advice and Other Information

On motion by Councillor Ainslie, the Government Management Committee received this report for information.

Links to Background Information

Report - 2006 Annual Report of the City of Toronto Archives
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8977.pdf>

GM10.16	Presentation	Received		Ward: 3, 5
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West District Study: Results of the West District Design Initiative

(November 30, 2007) Memo from Chief Corporate Officer

Summary

Memorandum (November 14, 2007) from the Chief Corporate Officer and the Chief Planner and Executive Director, City Planning, forwarding for information, a copy of a report dated November 14, 2007, from the Chief Corporate Officer and Chief Planner and Executive Director, City Planning, addressed to the Planning and Growth Management Committee [Item PG-11.3] titled "West District Study: Results of the West District Design Initiative" and

requesting to make a presentation to the Government Management Committee as the substance of this initiative relates to the City's land assets.

Speakers

Anne Milchberg, Manager, Development and Portfolio Planning, Facilities and Real Estate Division, gave a presentation
Lorna Day, Manager, Urban Design, City Planning Division
Councillor Peter Milczyn

Decision Advice and Other Information

On motion by Councillor Ainslie, the Government Management Committee received the presentation.

Motions

Introduce Report motion moved by Councillor Gloria Lindsay Luby (Final)

Motion to introduce the memorandum (November 30, 2007) submitted by the Chief Corporate Officer.

Links to Background Information

West District Study: Results of the West District Design Initiative
(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-9232.pdf>)

West District Study: Results of the West District Design Initiative(PG11.3)
(<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-8765.pdf>)

Meeting Sessions

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2007-12-03	Morning	9:35 AM	11:20 AM	Public
2007-12-03	Morning	11:20 AM	12:28 PM	Closed
2007-12-03	Morning	12:28 PM	12:30 PM	Public
2007-12-03	Afternoon	1:40 PM	1:45 PM	Public
2007-12-03	Afternoon	1:45 PM	2:28 PM	Closed
2007-12-03	Afternoon	2:28 PM	2:30 PM	Public

Chair