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## Government Management Committee

<b>Meeting No.</b>	5	<b>Contact</b>	Yvonne Davies, Committee Administrator
<b>Meeting Date</b>	Tuesday, June 12, 2007	<b>Phone</b>	416-392-7443
<b>Start Time</b>	9:30 AM	<b>E-mail</b>	ydavies@toronto.ca
<b>Location</b>	Committee Room 1, City Hall		

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## Government Management Committee

**Meeting No.** 5  
**Meeting Date** Tuesday, June 12, 2007  
**Start Time** 9:30 AM  
**Location** Committee Room 1, City Hall

**Contact** Yvonne Davies, Committee Administrator  
**Phone** 416-392-7443  
**E-mail** [ydavies@toronto.ca](mailto:ydavies@toronto.ca)

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GM5.2	NO AMENDMENT			Ward: All
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### Metropolitan Toronto Pension Plan - Actuarial Report as at December 31, 2006

#### City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. The 2006 Actuarial Report for the Metropolitan Toronto Pension Plan be received.
2. An increase of 2.01% be granted on pensions, effective January 1, 2007, to pensioners on benefit for more than one year and a proportionate increase of 0.1675% for each month of pension payment made in 2006 be granted for pensioners who retired during 2006.
3. By-law No. 15-92 of the former Metropolitan Corporation governing the Metropolitan Toronto Pension Plan as amended to date be further amended accordingly and authority be granted to introduce the necessary bill in Council.
4. The appropriate City officials be authorized to take the necessary action to give effect to the foregoing recommendations.

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(May 25, 2007) report from Treasurer

#### Committee Recommendations

The Government Management Committee recommends that:

1. The 2006 Actuarial Report for the Metropolitan Toronto Pension Plan be received.
2. An increase of 2.01% be granted on pensions, effective January 1, 2007 to pensioners on benefit for more than one year and a proportionate increase of 0.1675% for each month of pension payment made in 2006 be granted for pensioners who retired during

2006.

3. By-Law No. 15-92 of the former Metropolitan Corporation governing the Metropolitan Toronto Pension Plan as amended to date be further amended accordingly and authority be granted to introduce the necessary bill in Council.
4. The appropriate City officials be authorized to take the necessary action to give effect to the foregoing recommendations.

### **Financial Impact**

The estimated cost of the increase is \$11.9 million and is payable from the Plan's Indexation Reserve Account. The balance of the indexation reserve account is currently \$114.5 million.

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

### **Summary**

This report will present the 2006 Actuarial Valuation on the Metropolitan Toronto Pension Plan along with a recommendation regarding an increase in payments to pensioners as of January 1, 2007.

The 2006 Actuarial Valuation results of the Metropolitan Toronto Pension Plan highlight the continued strong financial position of the Plan. The actuary has recommended that an increase of 2.01% be granted on pensions effective January 1, 2007. The cost of this increase is approximately \$11.9 million and is funded from the Plan's Indexation Reserve Account which has a current balance of \$114.5 million.

### **Background Information**

Report-Metropolitan Toronto Pension Plan-Actuarial Report as at December 31, 2006

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4155.pdf>)

Attachment-2006 Actuarial Report for Metropolitan Toronto Pension Plan

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4457.pdf>)

## **2a Metropolitan Toronto Pension Plan Report on the Actuarial Valuation for Funding Purposes as at December 31, 2006**

(May 18, 2007) letter from Board of Trustees of the Metropolitan Toronto Pension Plan

### **Committee Recommendations**

The Board of Trustees of the Metropolitan Toronto Pension Plan recommends to the Government Management Committee that City Council adopt the following recommendation in the Recommendation Section of the report (April 2007) from Anil Narale, Principal, Mercer Human Resource Consulting:

"It is recommended that an increase of 2.01% be granted on pensions, effective

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 Considered by City Council on June 19, 20 and 22, 2007

January 1, 2007, to pensioners on benefit for more than one year and a proportionate increase of 0.168% for each month of pension payment made in 2006 be granted for pensioners who retired during 2006, for which the total estimated cost is \$11,137,000 on the going-concern basis, or \$11,926,000 on the solvency basis.”

### Summary

The Board of Management of the Metropolitan Toronto Pension Plan on April 18, 2007, considered a communication (April 10, 2007) from Anil Narale, Mercer Human Resource Consulting, forwarding the Metropolitan Toronto Pension Plan Report on the Actuarial Valuation for Funding Purposes as at December 31, 2006 (April 2007).

Anil Narale, Principal, Mercer Human Resource Consulting, gave a presentation to the Board of Trustees on the Actuarial Valuation Report.

### Background Information

Letter-Metropolitan Toronto Pension Plan Report on the Actuarial Valuation for Funding Purposes as at December 31, 2006

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4156.pdf>)

GM5.3	NO AMENDMENT			Ward: All
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### The Corporation of the City of York Employee Pension Plan - Actuarial Report as at December 31, 2006

#### City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. The “Report on the Actuarial Valuation for Funding Purposes as at December 31, 2006” for the Corporation of the City of York Employee Pension Plan, be received.
2. The existing authorization for the City to make special annual payments of:

2007 - \$3,973,474	2012 - \$1,925,604
2008 - \$3,738,444	2013 - \$763,152
2009 - \$3,112,104	2014 - \$413,844
2010 - \$2,401,980	2015 - \$64,524
2011 - \$2,260,104	

to the Corporation of the City of York Employee Pension Plan to eliminate the Fund’s going-concern unfunded liability and solvency deficiency be modified by reducing the payments to:

2008 - \$3,348,596
2009 - \$2,972,736
2010 - \$2,120,736

The existing payment of \$3,973,476 for 2007 remains unchanged and the payments for the years 2011 to 2015 are to be eliminated, subject to discontinuation as Council may determine, if any subsequent actuarial valuation indicates the existence of sufficient excess assets in the Corporation of the city of York Employee Pension Plan;

3. The appropriate City officials be authorized to take the necessary action to give effect to the foregoing recommendations.

(May 25, 2007) report from Treasurer

### **Committee Recommendations**

The Government Management Committee recommends that:

1. The "Report on the Actuarial Valuation for Funding Purposes as at December 31, 2006" for the Corporation of the City of York Employee Pension Plan, be received.
2. The existing authorization for the City to make special annual payments of:

2007 - \$3,973,474	2012 - \$1,925,604
2008 - \$3,738,444	2013 - \$763,152
2009 - \$3,112,104	2014 - \$413,844
2010 - \$2,401,980	2015 - \$64,524
2011 - \$2,260,104	

to the Corporation of the City of York Employee Pension Plan to eliminate the Fund's going-concern unfunded liability and solvency deficiency be modified by reducing the payments to:

2008 - \$3,348,596
2009 - \$2,972,736
2010 - \$2,120,736

The existing payment of \$3,973,476 for 2007 remains unchanged and the payments for the years 2011 to 2015 are to be eliminated, subject to discontinuation as Council may determine, if any subsequent actuarial valuation indicates the existence of sufficient excess assets in the Corporation of the city of York Employee Pension Plan;

3. The appropriate City officials be authorized to take the necessary action to give effect to the foregoing recommendations.

### **Financial Impact**

The City currently makes special payments of \$374,473 per month (\$4.494 million per year) with respect to existing solvency and going-concern deficiencies in the York Employee Pension Plan as required under the Ontario Pension Benefits Act which as scheduled, dropped to

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\$331,123 per month (\$3.973 million per year) effective January 1, 2007.

The scheduled special payment of \$3.973 million for 2007 is provided in the 2007 Non-Program Budget. Therefore, there is no further budget impact in 2007. Funding for future years' payments will be included in the respective years' Non-Program Budget submission.

The chart below illustrates the revised funding required for the York Pension Plan as a result of this most recent valuation.

**York Pension Plan Funding Requirements – January 1, 2007– December 31, 2010**

	2007	2008	2009	2010
<b>Going-concern Funding</b>				
2000 Valuation	\$231,492	\$231,492		
2001 Valuation	\$278,736	\$278,736	\$139,368**	
2002 Valuation	\$195,132	\$195,132	\$195,132	\$195,132
2003 Valuation	\$1,162,452	\$1,162,452	\$1,162,452	\$1,162,452
2004 Valuation	\$349,308	\$349,308	\$349,308	\$349,308
2005 Valuation	\$349,320	\$349,320	\$349,320	\$349,320
2005 Valuation*	\$64,524	\$64,524	\$64,524	\$64,524
2006 Valuation	0	0	0	0
<b>Sub Total</b>	<b>\$2,630,964</b>	<b>\$2,630,964</b>	<b>\$2,260,104</b>	<b>\$2,120,736</b>
<b>Solvency Funding</b>				
2003 Valuation	\$235,032			
2004 Valuation	\$394,848			
2005 Valuation	\$710,124	\$710,124	\$710,124	
2005 Valuation*	\$2,508	\$2,508	\$2,508	
2006 Valuation	0	0	0	0
<b>Sub Total</b>	<b>\$1,342,512</b>	<b>\$712,632</b>	<b>\$712,632</b>	<b>0</b>
<b>Total Required</b>	<b>\$3,973,476</b>	<b>\$3,343,596</b>	<b>\$2,972,736</b>	<b>\$2,120,736</b>

\*The valuation date has been changed to December 31 from January 1

\*\*Payments can cease June 30, 2009

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

## Summary

This report will present the Report on the Actuarial Valuation for Funding Purposes as at December 31, 2006 for the Corporation of the City of York Employee Pension Plan along with a recommendation regarding the continuation of special payments to the Fund with respect to solvency and going-concern deficiencies.

The 2006 valuation results of the York Pension Plan highlight the financial position and results of operations of the Plan for the year ended December 31, 2006 and the Valuation Report appropriately does not recommend any cost-of-living increase for pensioners for 2006.

### **Background Information**

Report-The Corporation of the City of York Employee Pension Plan - Actuarial Report as at December 31, 2006

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4157.pdf>)

Attachment-2006 Actuarial Report for the Corporation of the City of York Employee Pension Plan

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4158.pdf>)

### **3a Actuarial Valuation for Funding Purposes as at December 31, 2006**

(May 17, 2007) letter from City of York Employee Pension Plan Committee

#### **Committee Recommendations**

The City of York Employee Pension Plan Committee recommended to the Government Management Committee that City Council adopt the following recommendations contained in the Recommendations Section of the report (May 2007) from Anil Narale, Principal, Mercer Human Resource Consulting:

“It is recommended that:

1. no post-retirement adjustment be made as at July 1, 2007; and
2. the City contribute from January 1, 2007, at the rate of \$331,123 per month in respect of the unfunded liability and solvency deficiency, until revised by a subsequent valuation report.”

#### **Summary**

The City of York Employee Pension Plan Committee on May 16, 2007, considered a communication (May 7, 2007) from Anil Narale, Principal, Mercer Human Resource Consulting, forwarding the report (May 2007) entitled “Corporation of the City of York Employee Pension Plan - Actuarial Valuation for Funding Purposes as at December 31, 2006”, and recommending that the Committee approve the report for submission to City Council so that the report can be filed with the Canada Revenue Agency and the Financial Services Commission of Ontario.



## Background Information

Letter-Actuarial Valuation for Funding Purposes as at December 31, 2006

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4159.pdf>)

GM5.5	NO AMENDMENT			Ward: All
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## Metropolitan Toronto Police Benefit Fund – Actuarial Report as at December 31, 2006

### City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. The “Report on the Actuarial Valuation for Funding Purposes as at December 31, 2006” prepared by Mercer Human Resource Consulting with respect to the Metropolitan Toronto Police Benefit Fund, be received.
2. The existing authorization for the City to make special annual payments of \$4,903,200 until 2014, and \$4,677,600 in 2015 to the Police Benefit Fund, to eliminate the fund’s going-concern liability be discontinued.
3. The existing authorization for the City to make special annual payments of \$11,400,000 in each of the years 2007 and 2008, \$10,708,800 in 2009 and \$5,768,400 in 2010 to the Police Benefit Fund to eliminate the fund’s solvency deficiency determined as of December 31, 2005 be modified by reducing the payments to \$7,339,200 for each of the years 2007 and 2008, \$6,648,000 in 2009, \$1,707,600 in 2010 and adding \$842,400 in 2011, subject to discontinuation as Council may determine, if any subsequent actuarial valuation indicates the existence of sufficient excess assets in the Police Benefit Fund.
4. The City reaffirm the designation of the \$7,354,800 excess special payments made in 2005 and 2006 to be a contribution credit to be applied equally against the 2007, 2008 and 2009 funding requirements.
5. The appropriate City officials be authorized to take the necessary action to give effect to the foregoing recommendations.

(May 25, 2007) report from Treasurer

### Committee Recommendations

The Government Management Committee recommends that:

1. The “Report on the Actuarial Valuation for Funding Purposes as at December 31, 2006” prepared by Mercer Human Resource Consulting with respect to the Metropolitan Toronto Police Benefit Fund, be received.

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2. The existing authorization for the City to make special annual payments of \$4,903,200 until 2014, and \$4,677,600 in 2015 to the Police Benefit Fund, to eliminate the fund's going-concern liability be discontinued.
3. The existing authorization for the City to make special annual payments of \$11,400,000 in each of the years 2007 and 2008, \$10,708,800 in 2009 and \$5,768,400 in 2010 to the Police Benefit Fund to eliminate the fund's solvency deficiency determined as of December 31, 2005 be modified by reducing the payments to \$7,339,200 for each of the years 2007 and 2008, \$6,648,000 in 2009, \$1,707,600 in 2010 and adding \$842,400 in 2011, subject to discontinuation as Council may determine, if any subsequent actuarial valuation indicates the existence of sufficient excess assets in the Police Benefit Fund.
4. The City reaffirm the designation of the \$7,354,800 excess special payments made in 2005 and 2006 to be a contribution credit to be applied equally against the 2007, 2008 and 2009 funding requirements.
5. The appropriate City officials be authorized to take the necessary action to give effect to the foregoing recommendations.

### Financial Impact

The City currently makes special payments of \$8,948,400 per year with respect to existing solvency and going-concern deficiencies in the Metropolitan Toronto Police Benefit Fund as required under the *Ontario Pension & Benefits Act*. In the 2006 Valuation, the going-concern deficiency has been eliminated and the solvency deficiency reduced. A credit of \$2,451,600 is to be applied to the payments for the years 2007 to 2009, resulting in special payments in the amount of \$4,887,600 for 2007. The chart below illustrates the revised funding required for the Metropolitan Toronto Police Benefit Fund until 2011 as a result of this most recent valuation.

### Metropolitan Toronto Police Benefit Fund Funding Requirements January 1, 2007 - December 31, 2011

	2007	2008	2009	2010	2011
<b>Solvency Funding (amortized over 5 years)</b>					
2003 Valuation	\$691,200	\$691,200			
2004 Valuation	\$4,940,400	\$4,940,400	\$4,940,400		
2005 Valuation	\$865,200	\$865,200	\$865,200	\$865,200	
2006 Valuation	\$842,400	\$842,400	\$842,400	\$842,400	\$842,400
<b>Subtotal</b>	<b>\$7,339,200</b>	<b>\$7,339,200</b>	<b>\$6,648,000</b>	<b>\$1,707,600</b>	<b>\$842,400</b>
<b>Less Credit</b>	<b>\$2,451,600</b>	<b>\$2,451,600</b>	<b>\$2,451,600</b>		
<b>Total Required</b>	<b>\$4,887,600</b>	<b>\$4,887,600</b>	<b>\$4,196,400</b>	<b>\$1,707,600</b>	<b>\$842,400</b>

The special payments in the amount of \$4,887,000 for 2007 have been provided for in the 2007 Non Program Expenditure Budget.

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

### **Summary**

This report will present the Actuarial Valuation for Funding Purposes Report as at December 31, 2006 for the Metropolitan Toronto Police Benefit Fund along with a recommendation regarding the continuation of special payments to the Fund with respect to solvency and going-concern deficiencies.

The 2006 valuation results of the Fund highlight the financial position and the results of its operations for the year ended December 31, 2006 and the Valuation Report appropriately does not recommend any cost-of-living increase for pensioners for 2007.

### **Background Information**

Report-Metropolitan Toronto Police Benefit Fund - Actuarial Report as at December 31, 2006  
(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4163.pdf>)  
Attachment-2006 Actuarial Report for the Metropolitan Toronto Police Benefit Fund  
(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4164.pdf>)

### **5a Metropolitan Toronto Police Benefit Fund Report on the Actuarial Valuation for Funding Purposes as at December 31, 2006**

(May 18, 2007) letter from Board of Trustees of the Metropolitan Toronto Police Benefit Fund

### **Committee Recommendations**

The Board of Trustees of the Metropolitan Toronto Police Benefit Fund recommends to the Government Management Committee that City Council adopt the following recommendations in the Recommendations Section of the report (April 2007) from Anil Narale, Principal, Mercer Human Resource Consulting:

1. That there be no improvements for active members at this time.
2. That there be no improvements for retired members at this time.

### **Summary**

The Board of Management of the Metropolitan Toronto Police Benefit Fund on April 18, 2007, considered a communication (April 10, 2007) from Anil Narale, Principal, Mercer Human Resource Consulting, forwarding the Metropolitan Toronto Police Benefit Fund Report on the Actuarial Valuation for Funding Purposes as at December 31, 2006 (April 2007).

### **Background Information**

Letter-Metropolitan Toronto Police Benefit Fund Report on the Actuarial Valuation for Funding Purposes as at December 31, 2006  
(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4165.pdf>)

GM5.6	NO AMENDMENT			Ward: All
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## Unsolicited Quotations or Proposals - Revised Policy

### City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. The new Unsolicited Quotations or Proposal Policy attached as Appendix 1 to this report be approved.
2. The current Policy on Unsolicited Quotations and Proposals, Section 4.0 of the Procurement Processes Policy, be repealed.

(May 15, 2007) report from Treasurer

### Committee Recommendations

The Government Management Committee recommends that:

1. The new Unsolicited Quotations or Proposal Policy attached as Appendix 1 to this report be approved.
2. The current Policy on Unsolicited Quotations and Proposals, Section 4.0 of the Procurement Processes Policy, be repealed.

### Implementation Points

Upon approval, this policy will be communicated to all City Divisions and be posted on the City's public website.

### Financial Impact

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

### Summary

The purpose of this report is to revise the City's policy for responding to unsolicited quotations or proposals. Essentially, the City's current policy is not to consider unsolicited quotations or proposals, however, it does allow for exceptional cases where a division head wishes to accept an unsolicited quotation or proposal. The acceptance can be done with Council approval. Recent events and recent Council requests have spurred staff to bring forward a more comprehensive policy for Council's consideration and approval.

The new policy proposed will still limit the circumstances under which unsolicited quotations or proposals will be considered. They should not be used to undermine or supersede the City's commitment to open, transparent and competitive procurement. In circumstances when an unsolicited quotation or proposal could be considered, the policy outlines comprehensive information requirements that must be met within the quotation or proposal. In effect, the vendor would be asked for the same amount of information as if they were submitting the

proposal or bid to a Request for Proposal (RFP), Request for Quotation (RFQ) or Tender Call issued by the City. This section of the policy will ensure that frivolous quotations or proposals are screened out and that staff resources spent on evaluating viable quotations or proposals are economized.

This report also addresses the issue of renewing leases for Parks Forestry and Recreation concessions and staff are not recommending any changes to current City policy other than what is recommended under the unsolicited quotation or proposal policy outlined in this report.

### Background Information

Report-Unsolicited Quotations or Proposals - Revised Policy  
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4166.pdf>  
 Appendix 1 - Unsolicited Quotations or Proposal Policy  
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4167.pdf>

### Speakers

Alan Kasperski, FieldSports, Managing Director

GM5.8	NO AMENDMENT			Ward: All
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### Consolidating Oracle Corporation Canada Inc. Contracts

#### City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. Council authorize staff in the Information & Technology Division and the City Solicitor's Office to negotiate and enter into a contract with Oracle Corporation Canada Inc. for the supply, delivery and maintenance and support of Oracle licences, and for professional service, such contract to have a term ending no later than December 31, 2012, in an amount not to exceed \$19,709,028.00 net of GST, and in a form satisfactory to the City Solicitor.
2. Council authorize staff to extend the Client Level Agreement under the Province of Ontario's Master Standing Agreement and Blanket Contract 47011278 with Oracle Corporation Canada Inc. to acquire licences in an amount not to exceed \$1,017,360.00 net of GST, until March 30, 2008 or until a new consolidated contract is executed, whichever is earlier.

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(May 29, 2007) report from Chief Information Officer and Director, Purchasing and Materials Management

### Committee Recommendations

The Government Management Committee recommends that:

1. Council authorize staff in the Information & Technology Division and the City Solicitor's Office to negotiate and enter into a contract with Oracle Corporation Canada Inc. for the supply, delivery and maintenance and support of Oracle licences, and for professional service, such contract to have a term ending no later than December 31, 2012, in an amount not to exceed \$19,709,028.00 net of GST, and in a form satisfactory to the City Solicitor.
2. Council authorize staff to extend the Client Level Agreement under the Province of Ontario's Master Standing Agreement and Blanket Contract 47011278 with Oracle Corporation Canada Inc. to acquire licences in an amount not to exceed \$1,017,360.00 net of GST, until March 30, 2008 or until a new consolidated contract is executed, whichever is earlier.

### **Financial Impact**

#### Licences and First Year Maintenance – under Provincial Agreement (47011278) to March 2008

It is expected that \$1,017,360.00 net of GST, of net new Oracle licences will be acquired between now and March 30, 2008. This will include an estimated 184 licences for approved capital programs such as Data Mart/CNS, Digital Audio Recording System for Court Services, 3-1-1, and Document Management. The estimated net cost to the City from the extension of the Client Level Agreement will include the cost of the licences of \$822,960.00 net of GST, and first year maintenance costs of \$194,400.00 net of GST for a total amount of \$1,017,360.00 net of GST.

The funding for additional licences and annual maintenance services required by City divisions is included in each division's respective operating or capital budgets every year.

#### Licences and First Year Maintenance – under Consolidated Agreement

It is anticipated that the City will spend \$1,620,000.00 per year net of GST between 2008 and 2012 for a total of \$8,100,000.00 net of GST over 5 years for net new licences required by City Divisions as new applications are developed.

#### Professional Services

It is anticipated that \$216,000.00 per year net of GST will be required in each year of the contract for professional services such as the installation and configuration of Oracle software, for a total of \$1,080,000.00 net of GST over five years. The funding for professional services required by City Divisions will be included in each division's respective operating or capital budgets every year.

#### Annual Maintenance and Support Services (2nd Year and onwards)

The following table shows the breakdown of annual Oracle maintenance and support services that is cost shared on a 46%/54% basis between the I&T Division and Social Services net of GST:

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Annual Maintenance	Cost Center	Division	2008	2009	2010	2011	2012	Total
Data Mart Suite of Products	IT2031	I&T					\$160,963	
	CO1117	Social Services	\$122,859	\$129,019	\$135,477	\$147,649		\$695,967
		Sub-Total	\$144,225	\$151,457	\$159,039	\$173,327	\$188,957	\$817,005
			\$267,084	\$280,476	\$294,516	\$320,976	\$349,920	\$1,512,972
City wide Oracle Licences	IT1017	I&T	\$1,497,528	\$1,643,220	\$1,792,260	\$1,953,612	\$2,129,436	\$9,016,056
		<b>TOTAL</b>	<b>\$1,764,612</b>	<b>\$1,923,696</b>	<b>\$2,086,776</b>	<b>\$2,274,588</b>	<b>\$2,479,356</b>	<b>\$10,529,028</b>

### Summary of Costs

Item	2008-2012 Total Net of GST	GST	2008-2012 Total Including GST
Annual Licence Maintenance - Consolidated Agreement	\$10,529,028	\$584,946	\$11,113,974
Professional Services	\$1,080,000	\$60,000	\$1,140,000
New Licences and 1 <sup>st</sup> Year Maintenance & Support	\$8,100,000	\$450,000	\$8,550,000
Sub-Total	\$19,709,028	\$1,094,946	\$20,803,974
Licences – Provincial Agreement (to March 2008)	\$1,017,360	\$56,520	\$1,073,880
<b>TOTAL</b>	<b>\$20,726,388</b>	<b>\$1,151,466</b>	<b>\$21,877,854</b>

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

### Summary

The Auditor General recommended at its January 22, 2006 meeting, recommendation 11, that the Chief Corporate Officer review computer contracts to determine if consolidation opportunities exist.

The Information & Technology Division has identified three (3) contracts with Oracle Corporation Canada Inc., which will expire by December 31, 2007, that can be consolidated. The contracts are as follows:

- 47011278 for Oracle software licences.
- 47010429 for maintenance and support services for

Oracle licenses • 6021582 for Social Services (licenses, support and professional services).

The Information & Technology Division would like to negotiate and enter into a single contract for all of the above contracts with Oracle Corporation Canada Inc. for the supply, maintenance and support of Oracle licences and for related professional services.

### Background Information

Report-Consolidating Oracle Corporation Canada Inc. Contracts  
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4169.pdf>

GM5.9	NO AMENDMENT			Ward: All
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### Sole Source Contract for Proprietary Consumable Supplies, Operating Accessories and Service with Zoll Medical Canada Inc. for Monitor/Defibrillator Equipment

#### City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. City Council grant authority to:
  - a. award a sole source contract to Zoll Medical Canada Inc. for proprietary cardiac monitor/defibrillator consumable supplies and operating accessories in the amount of \$2,132,000, net of GST, for the period July 29, 2007 to December 31, 2009; and
  - b. award a sole source contract to Zoll Medical Canada Inc. for cardiac monitor/defibrillator maintenance service and repairs in the amount of \$214,000, net of GST, for the period July 29, 2007 to December 31, 2009.

(May 16, 2007) report from Chief and General Manager, Toronto EMS and Director of Purchasing and Materials Management Division

#### Committee Recommendations

The Government Management Committee recommends that:

1. City Council grant authority to:
  - (a) award a sole source contract to Zoll Medical Canada Inc. for proprietary cardiac monitor/defibrillator consumable supplies and operating accessories in the amount of \$2,132,000, net of GST, for the period July 29, 2007 to December 31, 2009; and
  - (b) award a sole source contract to Zoll Medical Canada Inc. for cardiac



monitor/defibrillator maintenance service and repairs in the amount of \$214,000, net of GST, for the period July 29, 2007 to December 31, 2009.

### Financial Impact

The total contract award identified in this report is \$2,476,333.33, including all applicable taxes and charges. The cost to the City net of GST is \$2,346,000. Funds are available in the Toronto Emergency Medical Services' 2007 Approved Operating Budget. Account No. B46700 includes \$782,000 for consumable supplies, operating accessories and maintenance and repair services. The balance of the contract of \$1,564,000 will be included in EMS' 2008 and 2009 operating budget submissions.

The consumable materials in the consumables contract will be purchased by the Materials Management Section of the Purchasing and Materials Management Division for EMS stores inventory purposes. The consumable material value will be held in an inventory holding Balance Sheet Account (160108) until EMS operations staff require the material to support their work programs at which time the material value will be charged to EMS' operating budget.

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 Council authority to issue two sole source contracts to Zoll Medical Canada Inc. for (1) proprietary cardiac monitor/defibrillator consumable supplies and operating accessories, and (2) cardiac monitor/defibrillator maintenance service and repairs for a total combined contracts amount of \$2,346,000, net of GST, for the period July 29, 2007 – December 31, 2009.

### Background Information

Report-Sole source contract for proprietary consumable supplies, operating accessories and service with Zoll Medical Canada Inc. for monitor/defibrillator equipment  
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4170.pdf>

### Speakers

Councillor Rob Ford

GM5.12	NO AMENDMENT			Ward: All
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### Cancellation, Reduction or Refund of Property Taxes - Hearing No. 3

#### City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. The individual appeals pursuant to Section 357 and 358 of the Municipal Act, 2001 (as continued under Section 323 and 325 of the City of Toronto Act, 2006) as

Government Management Committee Report - Meeting No. 5  
 Considered by City Council on June 19, 20 and 22, 2007

provided in the Detailed Hearing Report marked as Appendix A and Appendix B attached to the report dated May 18, 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
27	200600510	2006	1904-05-2-060-02800	98 Cumberland St.	Under review with MPAC	\$1,918.70
6	200600596	2006	1919-05-4-240-03450	839 Oxford St.	Under review with MPAC	\$27,446.89
7	200600360	2006	1908-01-3-810-02000	36 Emily Ave	Under review with MPAC	0
					<b>TOTAL 357/323</b>	<b>\$29,365.59</b>

**Section 358/325**

Ward Number	Appeal Number	Tax Year	Assessment Roll Number	Property Location	Reason for Adjournment	Tax Adjustment
8	200600372	2004	1908-03-3-360-04461	1280 Finch Ave WPkg.	Under review with MPAC	\$223.72
8	200600373	2005	1908-03-3-360-04461	1280 Finch Ave WPkg.	Under review with MPAC	\$225.44
8	200600374	2004	1908-03-3-360-04462	1280 Finch Ave WPkg.	Under review with MPAC	\$5,548.86
8	200600377	2003	1908-03-3-360-04460	1280 Finch Ave WPkg.	Under review with MPAC	\$3,227.86
8	200600378	2004	1908-03-3-360-04460	1280 Finch Ave WPkg.	Under review with MPAC	\$1,556.04
8	200600379	2004	1908-03-3-360-04460	1280 Finch Ave WPkg.	Under review with MPAC	\$1,578.13
					<b>TOTAL 358/325</b>	<b>\$12,360.05</b>
					<b>TOTAL ALL</b>	<b>\$41,725.64</b>

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

Statutory - City of Toronto Act, 2006

(May 18, 2007) report from Treasurer

## Committee Recommendations

The Government Management Committee recommends that:

- The individual appeals pursuant to Section 357 and 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 Report marked as Appendix A and Appendix B attached to the report dated May 18, 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
27	200600510	2006	1904-05-2-060-02800	98 Cumberland St.	Under review with MPAC	\$1,918.70
6	200600596	2006	1919-05-4-240-03450	839 Oxford St.	Under review with MPAC	\$27,446.89
7	200600360	2006	1908-01-3-810-02000	36 Emily Ave	Under review with MPAC	0
					<b>TOTAL 357/323</b>	<b>\$29,365.59</b>

### Section 358/325

Ward Number	Appeal Number	Tax Year	Assessment Roll Number	Property Location	Reason for Adjournment	Tax Adjustment
8	200600372	2004	1908-03-3-360-04461	1280 Finch Ave WPkg.	Under review with MPAC	\$223.72
8	200600373	2005	1908-03-3-360-04461	1280 Finch Ave WPkg.	Under review with MPAC	\$225.44
8	200600374	2004	1908-03-3-360-04462	1280 Finch Ave WPkg.	Under review with MPAC	\$5,548.86
8	200600377	2003	1908-03-3-360-04460	1280 Finch Ave WPkg.	Under review with MPAC	\$3,227.86
8	200600378	2004	1908-03-3-360-04460	1280 Finch Ave WPkg.	Under review with MPAC	\$1,556.04
8	200600379	2004	1908-03-3-360-04460	1280 Finch Ave WPkg.	Under review with MPAC	\$1,578.13
					<b>TOTAL 358/325</b>	<b>\$12,360.05</b>
					<b>TOTAL ALL</b>	<b>\$41,725.64</b>

- The appropriate City Officials be authorized and directed to take the necessary action to

give effect thereto.

## Summary

This report deals with applications filed by taxpayers to the Treasurer under sections 357 and 358 of the Municipal Act, 2001 as continued under section 323 and 325 of the City of Toronto Act, 2006 (COTA). Section 323 permits Council to cancel, reduce or refund taxes in cases where, during the year, a property undergoes changes that may affect its taxes. Examples of such changes are when a property is destroyed by fire or demolished, or it becomes exempt from taxation, or is reclassified due to a change in use etc. Under section 325 of the COTA, taxpayers can request a cancellation, reduction or refund of taxes when an error in the assessment is detected which results in an overcharge.

The legislation requires Council to hold a public meeting where the applicants may make submissions. Council has delegated authority to hold such public meetings to the Government Management Committee.

Staff have mailed Notices of Hearing to affected taxpayers and recommend approval of the applications as listed in appendices A and B.

## Background Information

Report-Cancellation, Reduction or Refund of Property Taxes - Hearing No. 3

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4176.pdf>)

Appendix A: Council Report - Detailed Hearing - 357, Hearing 2007H3

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4177.pdf>)

Appendix B: Council Report - Detailed Hearing - 358, Hearing 2007H3

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4178.pdf>)

## Decision Advice and Other Information

The Government Management Committee held a statutory hearing on Tuesday June 12, 2007, in accordance with the *City of Toronto Act, 2006*. No one appeared before the Committee.

GM5.13	NO AMENDMENT			Ward: All
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## Establishing a Uniform Criterion for Defining High Volume Water Accounts Across the City of Toronto

### City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. Commencing September 1, 2007, authority be granted to the Director of Revenue Services to regularly review and update the classification of water accounts such that:
  - a. a water account will be deemed a “high volume” water account and billed on a monthly basis where:

- i. the water consumption in a calendar year for the account is greater than 6,000 cubic metres; or
- ii. the water consumption is estimated by the City for the current calendar year, based on the water consumption for the account for the immediately preceding calendar year, to be greater than 6,000 cubic metres;
- b. if a water account has previously been classified as “low volume” and the average annual water consumption for the account for two consecutive calendar years is greater than 6,000 cubic metres, the water account shall be re-classified as “high volume”;
- c. if a water account has previously been classified as “high volume” and the water consumption for the account for the last calendar year is less than 4,500 cubic metres, the account shall be re-classified as “low volume”; and
- d. if a water account has previously been classified as “high volume” and the average annual water consumption for the account for two consecutive calendar years is 4,500 cubic metres or greater but does not exceed 6,000 cubic metres, the account shall be re-classified to “low volume”.
2. That affected by-laws of the former municipalities (The Corporation of the City of Toronto Municipal Code, Chapter 340; The Corporation of the City of Etobicoke, Chapter 257; Scarborough Public Utilities Commission of the City of Scarborough, By-law Number 30; City of North York, By-Law Number 32789; The Corporation of the Borough of York, By-Law Number 1259-71; The Corporation of the Borough of East York, By-Law 11-90) be amended accordingly to reflect the foregoing.
3. The appropriate City officials be authorized to take the necessary action to give effect thereto.

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(May 22, 2007) report from Treasurer

### **Committee Recommendations**

The Government Management Committee recommends that:

1. Commencing September 1, 2007, authority be granted to the Director of Revenue Services to regularly review and update the classification of water accounts such that:
  - a. a water account will be deemed a “high volume” water account and billed on a monthly basis where:
    - (i) the water consumption in a calendar year for the account is greater than 6,000 cubic metres; or
    - (ii) the water consumption is estimated by the City for the current calendar

year, based on the water consumption for the account for the immediately preceding calendar year, to be greater than 6,000 cubic metres;

- b. if a water account has previously been classified as “low volume” and the average annual water consumption for the account for two consecutive calendar years is greater than 6,000 cubic metres, the water account shall be re-classified as “high volume”;
  - c. if a water account has previously been classified as “high volume” and the water consumption for the account for the last calendar year is less than 4,500 cubic metres, the account shall be re-classified as “low volume”; and
  - d. if a water account has previously been classified as “high volume” and the average annual water consumption for the account for two consecutive calendar years is 4,500 cubic metres or greater but does not exceed 6,000 cubic metres, the account shall be re-classified to “low volume”.
2. That affected by-laws of the former municipalities (The Corporation of the City of Toronto Municipal Code, Chapter 340; The Corporation of the City of Etobicoke, Chapter 257; Scarborough Public Utilities Commission of the City of Scarborough, Bylaw Number 30; City of North York, By-Law Number 32789; The Corporation of the Borough of York, By-Law Number 1259-71; The Corporation of the Borough of East York, By-Law 11-90) be amended accordingly to reflect the foregoing.
  3. The appropriate City officials be authorized to take the necessary action to give effect thereto.

### **Financial Impact**

Adopting a consumption-based criteria of “greater than 6,000 cubic metres” of water usage per year, for the purpose of defining what constitutes a high volume water account for billing purposes, will redistribute the amount of water consumption read and billed on a monthly versus a tri-annual basis. Approximately \$11.9 million (based on 2006 consumption data) will shift from being read and billed on a tri-annual basis (as a low volume account) to a monthly basis (as a high volume account), generating additional monthly cash-flow of approximately \$990,000 per month or \$248,000 per week, thus allowing the City to earn additional investment income. The City of Toronto will not experience change in the total annual water revenue from the redistribution of cash-flows.

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

### **Summary**

This report recommends uniform criterion for defining what constitutes a high volume water account for billing purposes (i.e. determining which water accounts should be billed on a monthly basis versus a tri-annual basis). The analysis shows that the re-categorization of the high volume customer base, using the recommended annual water consumption threshold level of greater than 6000 cubic metres, will incrementally accelerate the collection of water revenue

on a monthly basis; and, will improve the overall cashflow management of the revenue stream for the Water and Wastewater Program.

### Background Information

Report-Establishing a Uniformed Criterion for Defining High Volume Water Accounts Across the City of Toronto

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4179.pdf>)

GM5.14	NO AMENDMENT			Ward: All
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### Approval to Initiate and Participate in Assessment Appeals

#### City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. The assessment appeals initiated by Revenue Services staff, as identified in Appendix A of this report, be authorized by Council.
2. City participation in the assessment appeals initiated by the taxpayer, 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 Settlement or other settlement documentation.
4. The appropriate City staff be authorized and directed to take the necessary action to give effect thereto.

(May 14, 2007) report from Treasurer

#### Committee Recommendations

The Government Management Committee recommends that:

1. The assessment appeals initiated by Revenue Services staff, as identified in Appendix A of this report, be authorized by Council.
2. City participation in the assessment appeals initiated by the taxpayer, 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 Settlement or other settlement documentation.

4. 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 of this report, are estimated to be \$16,275 (105 at \$150.00 for each non-residential assessment appeal application, and 7 at \$75.00 for each residential appeal).

There are no fees required for those properties appealed by the property owner and where the City will become a full participant. However, costs could be incurred in disputing these assessments to retain specialized professional services (such as appraisers, planners, economists) to provide expert opinion/evidence at the ARB as required. Funds to cover the cost of retaining such professional services are included in the 2007 Approved Operating Budget, Non-Program account entitled "Assessment Function".

At this time, staff cannot estimate what the financial impact to the City will be from these appeals; however, we anticipate that the City's taxation revenue will increase as a result of the appeals initiated by the City.

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 staff review and analysis, the Director of Revenue Services has launched assessment appeals at the Assessment Review Board (ARB) and is now seeking authorization to proceed with those appeals. The appeals are intended to correct assessment values that have been incorrectly classified, under-valued, or wrongly returned on the 2007 assessment roll. In addition, staff are requesting authorization to actively participate in taxpayer (owner) initiated appeals in order to protect the City's assessment base.

If the recommendations put forward in this report are adopted, Revenue Services and Legal Services staff will proceed to prepare the City's position on a case-by-case basis

### **Background Information**

Report-Approval to Initiate and Participate in Assessment Appeals  
(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4180.pdf>)

Appendix A - Appeals Initiated by the Treasurer  
(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4181.pdf>)

Appendix B - Appeals Initiated by Taxpayers in which the City Will Fully Participate  
(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4182.pdf>)



GM5.17	AMENDED			Ward: All
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## **Outcome of Nathan Phillips Square Revitalization Design Competition and Award of Contract to Winner**

### **City Council Decision**

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. City Council endorse the design for the revitalization of Nathan Phillips Square submitted by the team of Plant Architect Inc. and Shore Tilbe Irwin & Partners, which the Competition Jury selected as the winner of the Nathan Phillips Square Revitalization Design Competition.
2. The Executive Director of Facilities and Real Estate be authorized to enter into and execute a contract on behalf of the City with Plant Architect Inc. and Shore Tilbe Irwin & Partners to provide architectural and related design services for the revitalization of Nathan Phillips Square, in a form satisfactory to the City Solicitor and in an amount not to exceed \$4.1 million.
3. City Council authorize a future year commitment of \$2.707 million for 2008 for the Nathan Phillips Square project to provide a funding commitment totalling \$4.1 million to enable the award of the contract.
4. In the event the existing Peace Garden is relocated, a "Pathway to Peace" be included in the design of the Peace Garden.
5. City Council reaffirm that the Peace Garden relocation be undertaken in such a way as to maintain and enhance Toronto's commitment to building global peace and that any relocation reflect this commitment.
6. Representatives of the interfaith and peace communities be consulted on an ongoing basis as the design for the Peace Garden on Nathan Phillips Square develops and City staff be requested to establish an advisory group as a sub-committee of the Nathan Phillips Square Revitalization Public Advisory Group to focus on the Peace Garden component of the project, such group to also help facilitate the re-dedication of the new Peace Garden.
7. City Council request the architects to examine the idea of moving the pavilion to the new location, in addition to the already included sun dial, eternal flame, and sacred water and that Council indicate its strong desire to retain these elements, and if this cannot be accommodated, that staff be requested to report back to the Government Management Committee.
8. City Council request the Chief Corporate Officer and Executive Director of City Planning to submit progress reports every six months on all aspects of the revitalization of Nathan Phillips Square, including the funding aspects.

9. City Council reaffirm the following:
  - a. the third Guiding Principle of the Nathan Phillips Square Revitalization Design Competition to “Preserve and enhance the unique heritage qualities of the Square”; and
  - b. section 6.4.4. of the Peace Garden in the Nathan Phillips Square Revitalization Design Competition Brief, which states (on page 52):

“The Peace Garden was added to the Square in 1984 and is part of the heritage designation...Any changes to the location of the Peace Garden must place it in an appropriate location relative to the overall Square design, provide an equivalent or better landscape design and relocate the key built components, including the pavilion, pool, eternal flame and sundial.”
10. The integrity of the key components of the existing Peace Garden (the sundial, eternal flame, sacred water and the pavilion) be fully protected throughout the construction of the new Nathan Phillips Square, particularly in the transfer of the key components to the new location and until the new Peace Garden is rededicated.
11. The Toronto Office of Partnership, in consultation with the Deputy City Manager and Chief Financial Officer, be requested to report, in 2008, on the fundraising implementation strategy, including commitments made from other levels of government, the private sector and the business community, and the report also outline options for the appropriate recognition of sponsorship.
12. No section of Nathan Phillips Square be named after any corporate donor, regardless of the amount of the contribution.
13. Should Council approve corporate sponsors for the Nathan Phillips Square Revitalization, the Chief Corporate Officer be requested to report to the Government Management Committee on guidelines for corporate sponsors for this project.
14. The interpretive plaques which accompany the statue of Sir Winston Churchill be incorporated into the design of Nathan Phillips Square.
15. As part of the design in Nathan Phillips Square or in the City Hall Rotunda, there be some form of recognition and history of the former municipalities which existed prior to amalgamation.

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(May 28, 2007) report from Chief Corporate Officer and Chief Planner and Executive Director, City Planning Division

### **Committee Recommendations**

The Government Management Committee recommends that:

1. City Council endorse the design for the revitalization of Nathan Phillips Square submitted by the team of Plant Architect Inc. and Shore Tilbe Irwin & Partners, which the Competition Jury selected as the winner of the Nathan Phillips Square Revitalization Design Competition.
2. The Executive Director of Facilities and Real Estate be authorized to enter into and execute a contract on behalf of the City with Plant Architect Inc. and Shore Tilbe Irwin & Partners to provide architectural and related design services for the revitalization of Nathan Phillips Square, in a form satisfactory to the City Solicitor and in an amount not to exceed \$4.1 million.
3. City Council authorize a future year commitment of \$2.707 million for 2008 for the Nathan Phillips Square project to provide a funding commitment totalling \$4.1 million to enable the award of the contract.
4. In the event the existing Peace Garden is relocated, a "Pathway to Peace" be included in the design leading from Toronto City Hall to the re-located Peace Garden.
5. City Council reaffirm that the Peace Garden relocation be undertaken in such a way as to maintain and enhance Toronto's commitment to building global peace and that any relocation reflect this commitment.
6. Representatives of the interfaith and peace communities be consulted on an ongoing basis as the design for Nathan Phillips Square develops and that City staff be requested to establish an advisory group as a sub-committee of the Nathan Phillips Square Revitalization Public Advisory Committee to focus on the Peace Garden component of the project, such group to also help facilitate the rededication of the new Peace Garden.
7. City Council request the architects to examine the idea of moving the pavilion to the new location, in addition to the already included sun dial, eternal flame, and sacred water and that Council indicate its strong desire to retain these elements, and if this cannot be accommodated, that staff be requested to report back to the Government Management Committee.
8. The new location for the Peace Garden be fully built and rededicated prior to the decommissioning of the current Peace Garden.
9. City Council request the Chief Corporate Officer and Executive Director of City Planning to submit progress reports every six months on all aspects of the revitalization of Nathan Phillips Square, including the funding aspects.

### **Financial Impact**

Funding in the amount of \$16 million was approved by City Council in the 2006 Capital Budget and 2007-2010 Capital Plan. Funding in the amount of \$4.1 million is available in the 2007 Approved Capital Budget and the 2008 Capital Plan. Recommendation #3 provides the required commitment of funding in the 2008 Capital Plan in order to award the contract. The table below details the 2007-2011 cash flow and plan funding and the expenditures to date.

(\$000)	2007	2008	2009	2010	2011
Spent To Date	0.300				
Contract	1.393	2.707			
Future Year Plan		1.246	3.953	3.953	2.316
<b>Total</b>	1.693	3.953	3.953	3.953	2.316

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

### Summary

This report seeks City Council's endorsement of the design submission from the team led by Plant Architect Inc. and Shore Tilbe Irwin & Partners, which the Competition Jury selected as the winning design for the Nathan Phillips Square Revitalization Design Competition. The report seeks City Council approval to award a contract to the winning team to provide architectural services to implement the winning design for the Nathan Phillips Square (NPS) revitalization initiative.

The report advises that City Staff are currently working with the Nathan Phillips Square Revitalization Public Advisory Group to develop a work plan to study a variety of governance models for public spaces in order to recommend a preferred governance structure and sustainable funding model for the Square.

As well, the report indicates that City staff will develop and implement a fundraising strategy to seek the additional \$24 million in contributions from other levels of government, the private sector and the business community, which is needed in addition to the City's \$16 million financial commitment for Nathan Phillips Square's revitalization and restoration.

### Background Information

Report-Outcome of Nathan Phillips Square Revitalization Design Competition and Award of Contract to Winner

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4184.pdf>

Council also considered the following:

- Report (June 18, 2007) from the Deputy City Manager and the Deputy City Manager and Chief Financial Officer. ([GM5.17a](#))

### Communications

(May 22, 2007) e-mail from Phyllis Creighton (GM.Main.GM5.17.1)

(May 22, 2007) e-mail from Anton Wagner for the Hiroshima Day Coalition (GM.Main.GM5.17.2)

(May 23, 2007) e-mail from Bruna Nota (GM.Main.GM5.17.3)

(May 28, 2007) letter from Dr. Vinay Jindal, Physicians for Global Survival, Toronto

Chapter (GM.Main.GM5.17.4)

(May 25, 2007) letter from Heather Sturrock and Colleen Burke, Women's International League for Peace & Freedom (GM.Main.GM5.17.5)

(May 27, 2007) e-mail from John Flanders (GM.Main.GM5.17.6)

(May 30, 2007) e-mail from Roberto Verdcchia, Humanist Movement (GM.Main.GM5.17.7)

(May 27, 2007) e-mail from Eileen Swinton (GM.Supp.GM5.17.8)

(May 30, 2007) e-mail from The Rev. Jim Houston (GM.Supp.GM5.17.9)

(May 31, 2007) e-mail from Margaret Panter (GM.Supp.GM5.17.10)

(May 31, 2007) e-mail from Nancy Whitla (GM.Supp.GM5.17.11)

(June 5, 2007) e-mail from Shirley Bush (GM.Supp.GM5.17.12)

(June 5, 2007) e-mail from Joy Kogawa (GM.Supp.GM5-17.13)

(June 6, 2007) e-mail from Terence Reardon, Secretary - Churchill Statue Project Committee (GM.Supp.GM5.17.14)

(June 6, 2007) e-mail from Bruce Gavin Ward, DigIn, theBIG, TPSC, CBN, TCAT, Active 18 (GM.Supp.GM5.17.15)

(June 2, 2007) e-mail from Michael Creal (GM.Supp.GM5.17.16)

(June 6, 2007) e-mail from Shirley Farlinger (GM.Supp.GM5.17.17)

(June 7, 2007) e-mail from Barbara Birkett (GM.Supp.GM5.17.18)

(June 7, 2007) e-mail from Brydon Gombay (GM.Supp.GM5.17.19)

(June 10, 2007) e-mail from Z.S. Drostek and Leslaw Drostek (GM.Supp.GM5.17.20)

(June 9, 2007) e-mail from Eleanor Grant (GM.Supp.GM5.17.21)

(June 8, 2007) letter from David Walsh, President, Carrot Common Corporation (GM.Supp.GM5.17.22)

(June 8, 2007) letter from Scott Mullin, Chair, Nathan Phillips Square Revitalization Public Advisory Group (GM.Supp.GM5.17.23)

(June 8, 2007) e-mail from Corrie Schneider, Executive Director, Mir Movement (GM.Supp.GM5.17.24)

(June 6, 2007) letter from Alfred L. Marder, President, International Association of Peace Messenger Cities (GM.Supp.GM5.17.25)

(June 10, 2007) letter from Dee Stapleton, on behalf of The Toronto Raging Grannies (GM.Supp.GM5.17.26)

(June 11, 2007) e-mail from Anthony Rapoport (GM.Supp.GM5.17.27)

(June 11, 2007) e-mail from Dr. Anton Wagner for the Hiroshima Day Coalition (GM.Supp.GM5.17.28)

(June 11, 2007) letter from Philip Creighton, FCA, Chartered Accountant (GM.Supp.GM5.17.29)

(June 11, 2007) e-mail from Helen Armstrong, Coordinator, Toronto Disaster Relief Committee (GM.Supp.GM5.17.30)

(June 11, 2007) e-mail from Jo-Ann Rodrigues (GM.Supp.GM5.17.31)

(May 26, 2007) e-mail from Audrey Tobias, Coordinator, Veterans Against Nuclear Arms, ON-QUE Region (GM.Supp.GM5.17.32)

(June 11, 2007) e-mail from John Clarke, Organizer, Ontario Coalition Against Poverty (GM.Supp.GM5.17.33)

(June 11, 2007) e-mail from Yusuke Tanaka, Managing Editor, Nikkei Voice (GM.Supp.GM5.17.34)

(June 12, 2007) e-mail from Phyllis Creighton (GM.Supp.GM5.17.35)

(June 12, 2007) e-mail from Darrell Rankin, Executive Member, Canadian Peace Congress and Former Co-Chair and Treasurer, Canadian Peace Alliance (GM.Supp.GM5.17.36)

Council also considered the following communications:

- (June 12, 2007) from Patricia Russell. (GM5.17.37)
- (June 12, 2007) from Larry Noble. (GM5.17.38)
- (June 12, 2007) from Dorothy Goldin-Rosenberg. (GM5.17.39)
- (June 17, 2007) from Christopher J. Hope. (GM5.17.40)
- (June 20, 2007) from Paul Merredew. (GM5.17.41)
- (June 14, 2007) from Shirley Bush. (GM5.17.42)
- (June 12, 2007) from Setsuko Thurlow, C.M., presentation to the Government Management Committee of the City of Toronto, submitted by Councillor Raymond Cho, Ward 42, Scarborough-Rouge River. (GM5.17.43)

### **Speakers**

Jodie Parmar, Director, Business and Strategic Innovation, Facilities & Real Estate  
 Robert Freedman, Director, Urban Design, City Planning  
 Peter Ortved, CS&P Architects, Professional Advisor for Nathan Phillips Square Design Competition  
 Scott Mullin, Chair, Nathan Phillips Square Revitalization Public Advisory Group, Vice President, Government and Community Relations, TD Bank  
 Chris Pommer, Plant Architect Inc., and Shore Tilbe Irwin & Partners  
 Andrew Frontini, Architect  
 Eric Haldenby, Chair, Nathan Phillips Square Revitalization Design Competition Jury Director, University of Waterloo School of Architecture  
 Anton Wagner, Hiroshima Day Coalition, and filed written submissions  
 Setsuko Thurlow  
 Phyllis Creighton, Secretary, Science for Peace  
 Shirley Farlinger, International Institute of Concern for Public Health (IICPH)  
 Audrey Tobias, Co-ordinator, Veterans Against Nuclear Arms, ON-QUE Region  
 Father Massey Lombardi, St. Wilfrids Church, and filed written submissions  
 Sid Ikeda, Japanese Canadian Cultural Centre  
 Mary Jo Leddy, Director, Romero House  
 Michael Rosenberg  
 Lauri Sue Robertson, President & Owner, Disability Awareness Congress  
 Joe Lobko, Architect, duToit, Allsopp, Hillier (Toronto), Member of former Roundtable on a Beautiful City, and filed a written submission  
 Arnis Budrevics, President, Ontario Association of Landscape Architects, and filed a written submission  
 Antonio Gomez-Palacio, Chair, Toronto Society of Architects, and filed a written submission  
 Mrs. Eryl Court, Voice of Women for Peace (Canada)  
 Gene Tishauer, Toronto East for Peace  
 Dorothy Goldin Rosenberg  
 Councillor Joe Mihevc  
 Councillor Raymond Cho  
 Councillor Peter Milczyn

### Decision Advice and Other Information

The Government Management Committee requested the Deputy City Manager, Sue Corke, the Deputy City Manager and Chief Financial Officer and appropriate staff to report directly to City Council on the terms of reference covering a proposed strategic fundraising action plan and to include comment on what the financial fall back position would be to complete this multi-phase revitalization initiative in the event the \$24 million is not fund raised.

GM5.18	NO AMENDMENT			Ward: All
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### Union Station Revitalization Public Advisory Group Appointment Recommendations

**Confidential - Personal matters about an identifiable individual, including municipal or local board employees (Attachment 1)**

#### City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. City Council adopt the confidential instructions to staff in Attachment 1.
2. Council authorize the public release of names of the individuals recommended for membership in the Union Station Revitalization Public Advisory Group.

Confidential Attachment 1 to the report (May 22, 2007) from the Chief Corporate Officer contains the names of the following individuals recommended for membership in the Union Station Revitalization Public Advisory Group. The balance of the Attachment remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains personal information about identifiable individuals, including municipal or local board employees:

Business Sector:

Devin Glowinski  
 Paul Morse

Community Sector:

Jeff Balaban  
 Lester Brown  
 Paul Smith

Heritage Sector:

Derek Boles  
 Andrew Jeanes

Orin Krivel

Members at Large:

Mitchell Cohen  
Janice Etter  
Richard Gilbert  
Mitch Kosny  
Johathan Lebi  
Bronwen Smith

Tourism Sector:

Colin Rainsbury

Transportation Sector:

David Jeanes  
Kevin McLaughlin  
Steve Munro  
Anton Turriffin

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(May 22, 2007) report from Chief Corporate Officer

### **Committee Recommendations**

The Government Management Committee recommends that:

1. City Council adopt the confidential instructions to staff in Attachment 1; and
2. Council authorize the public release of names of the individuals recommended for membership in the Union Station Revitalization Public Advisory Group.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **Summary**

City Council at its meeting on March 5, 6, 7 and 8, 2007 confirmed the re-establishment of the Union Station Revitalization Public Advisory Group (USRPAG). In response to an advertisement in several local publications requesting applications for membership in the USRPAG, 28 applications were submitted. The confidential attachment to this report contains the names of all the applicants, as well as those selected by a membership review committee in accordance with the USRPAG Terms of Reference approved by Council at its meeting on October 26, 27, 28 and 31, 2005.

It is recommended that City Council confirm the list of candidates selected for membership in the Union Station Revitalization Public Advisory Group.



## Background Information

Report-Union Station Revitalization Public Advisory Group Appointment Recommendations  
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4185.pdf>

Confidential Attachment 1 - Union Station Revitalization Public Advisory Group Applicants and Recommended Members

GM5.21	AMENDED			Ward: 17
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## Proposed Acquisition of Part of 243 Alberta Avenue (Roseneath Gardens Parkette)

**Confidential - A proposed or pending acquisition or sale of land for municipal or local board purposes (Attachment 1)**

### City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. City Council adopt confidential Recommendations 1 to 5 in Attachment 1 to the report (May 17, 2007) from the Chief Corporate Officer and General Manager, Parks, Forestry and Recreation.
2. City Council authorize the public release of the confidential information and recommendations in Attachment 1, once City Council has approved the funding.
3. The 2007 Approved Capital Budget for Parks, Forestry and Recreation be amended by the addition of a project "Roseneath Garden Parkette Acquisition", with funding from XR2045 York Local Parkland Acquisition Reserve, the XR2202 the West District Local Parkland Acquisition Reserve with the remaining coming from XR2210 the City-wide Local Parkland Acquisition Reserve.
4. The Offer to Sell from the Owner of the property known as the Roseneath Garden Parkette be accepted substantially on the terms outlined in Attachment 1 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.
5. The City Solicitor be authorized to complete these transactions on behalf of the City including making payment of any necessary expenses, and amending the closing date and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.
6. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Confidential Attachment 1 to the report (May 17, 2007) from the Chief Corporate Officer

and the General Manager, Parks, Forestry and Recreation, is now public and contains the following recommendations:

1. City Council adopt the confidential recommendations to staff in Attachment 1;
2. City Council authorize the public release of the confidential information and recommendations in Attachment 1, once City Council has approved the funding.
3. The 2007 Approved Capital Budget for Parks, Forestry and Recreation be amended by the addition of a project "Roseneath Garden Parkette Acquisition" for approximately \$1,322,575.00 net of GST with funding from XR2045 York Local Parkland Acquisition Reserve Fund, the XR2202 the West District Local Parkland Acquisition Reserve Fund with the remaining coming from XR2210 the City-wide Local Parkland Acquisition Reserve Fund.
4. The Offer to Sell from the Owner of the property known as the Roseneath Garden Parkette site having a net cost to the City of approximately \$1,400,575.00 be accepted substantially on the terms outlined in Attachment 1 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.
5. The City Solicitor be authorized to complete these transactions on behalf of the City, including making payment of any necessary expenses, and amending the closing date and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.

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(May 17, 2007) report from Chief Corporate Officer and General Manager, Parks, Forestry & Recreation

### **Committee Recommendations**

The Government Management Committee recommends that:

1. City Council adopt confidential Recommendations Nos. 3 and 4 in Attachment 1 to the report (May 17, 2007) from the Chief Corporate Officer and General Manager, Parks, Forestry and Recreation.
2. City Council authorize the public release of the confidential information and recommendations in Attachment 1, once City Council has approved the funding.
3. The 2007 Approved Capital Budget for Parks, Forestry and Recreation be amended by the addition of a project "Roseneath Garden Parkette Acquisition", with funding from XR2045 York Local Parkland Acquisition Reserve, the XR2202 the West District Local Parkland Acquisition Reserve with the remaining coming from XR2210 the City-wide Local Parkland Acquisition Reserve.
4. The Offer to Sell from the Owner of the property known as the Roseneath Garden Parkette be accepted substantially on the terms outlined in Attachment 1 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.

5. The City Solicitor be authorized to complete these transactions on behalf of the City including making payment of any necessary expenses, and amending the closing date and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.
6. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

### **Financial Impact**

Funding is currently available in the Parks, Forestry and Recreation's Parkland Acquisition Reserve Funds.

The funding for this acquisition has not been included in the 2007 Approved Capital Budget for Parks, Forestry, and Recreation. City Council's approval will be required to increase the 2007 Approved Capital Budget for Parks, Forestry, and Recreation with offsetting funds from XR2045 York Local Parkland Acquisition Reserve Fund, the XR2202 the West District Local Parkland Acquisition Reserve Fund with the remaining coming from XR2210 the City-wide Local Parkland Acquisition Fund.

As this Parkette has been in existence for approximately 10 years, no additional funding is required in the Capital Budget in order to develop this park site.

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

### **Summary**

The Roseneath Gardens Parkette is a privately held 0.23 ha (0.56 acre) site that is leased by the City for use as a public park. The purpose of this report is to secure Council approval to proceed with the acquisition of the northerly portion of 243 Alberta Avenue currently known as Roseneath Gardens Parkette for continued Parks purposes.

The former Corporation of the City of York entered into a lease for the property (shown on PS Sketch 2007-013, Appendix "B") on December 31, 1997 and the term of the lease will expire on September 18, 2008. 1239085 Ontario Inc., the current owner (the "Owner") is considering development opportunities for the property and staff would like to ensure that the property continues to be used for park purposes. Accordingly, the City would like to proceed with the acquisition.

Negotiations with the Owners have been on-going since the fall of 2006. The Owner has signed an irrevocable offer to sell ("Offer to Sell") the property to the City. Appendix "A" to this report describes the salient terms of this proposed acquisition, which is considered fair and reasonable.

### **Background Information**

Report-Proposed Acquisition of Part of 243 Alberta Avenue (Roseneath Gardens Parkette)  
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4189.pdf>

Confidential Attachment 1 - Proposed Acquisition of Part of 243 Alberta Avenue (Roseneath Gardens Parkette)

### Communications

(June 12, 2007) letter from Councillor Palacio, Ward 17 - Davenport, submitted 93 communications from area residents. (GM.Supp.GM5.21.1)

Council also considered the following:

- Petition (May 2007) containing the signatures of approximately 241 individuals regarding the acquisition of Roseneath Gardens Parkette and Playground, submitted by Councillor Cesar Palacio, Ward 17, Davenport. (GM5.21.1)

GM5.22	NO AMENDMENT			Ward: 23
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### North York City Centre Service Road Acquisitions

#### City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. The Offer to Sell from Soonyong and Youngja Lee to the City the property municipally known as 51 Hounslow Avenue in the amount of \$605,000.00 be accepted substantially on the terms outlined in Appendix "A" to this report, and that each of the Chief Corporate Officer or the Director of Real Estate Services be authorized severally to accept this Offer on behalf of the City.
2. The Offer to Sell from the Trustees of the Congregation of the Willowdale Presbyterian Church to the City the properties municipally known as 70 Ellerslie Avenue and parts of 38 Ellerslie Avenue in the amount of \$2,590,000.00 (which amount includes \$65,000.00 on account of disturbance damages) be accepted substantially on the terms outlined in Appendix "C" to this report, and that either the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept this Offer on behalf of the City.
3. The City Solicitor be authorized to complete these transactions on behalf of the City, including making payment of any necessary expenses and amending the closing date and the commencement or other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.
4. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

(May 18, 2007) report from Chief Corporate Officer

### Committee Recommendations

The Government Management Committee recommends that:

1. The Offer to Sell from Soonyong and Youngja Lee to the City the property municipally known as 51 Hounslow Avenue in the amount of \$605,000.00 be accepted substantially on the terms outlined in Appendix "A" to this report, and that each of the Chief Corporate Officer or the Director of Real Estate Services be authorized severally to accept this Offer on behalf of the City.
2. The Offer to Sell from the Trustees of the Congregation of the Willowdale Presbyterian Church to the City the properties municipally known as 70 Ellerslie Avenue and parts of 38 Ellerslie Avenue in the amount of \$2,590,000.00 (which amount includes \$65,000.00 on account of disturbance damages) be accepted substantially on the terms outlined in Appendix 'C' to this report, and that either the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept this Offer on behalf of the City.
3. The City Solicitor be authorized to complete these transactions on behalf of the City, including making payment of any necessary expenses and amending the closing date and the commencement or other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.
4. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

### Financial Impact

The total cost of these acquisitions, in the amount of approximately \$3,528,850.00 including all taxes and charges, will be funded from the 2007 Approved Capital Budget for Transportation Services, Capital Account CTP800-8 (North York Centre). A break down of the contemplated costs for the various properties can be found in Appendices "A" & "C".

<b>Payments to all Owners:</b>	Purchase price (less GST)	\$3,130,000.00
	<b>Total of all Owner Payments</b>	<b>\$3,130,000.00</b>
<b>City's Closing Costs:</b>	Disturbance Damages	\$150,000.00
	Land Transfer Taxes – app.	\$56,850.00
	Registration Costs –app.	\$300.00
	<b>Total Third Party Costs</b>	<b>\$207,150.00</b>
<b>Net Cost to City less GST</b>		<b>\$3,337,150.00</b>

### GST on Total Purchase Price of all Properties \$191,700.00

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

### Summary

Real Estate Services seeks authority for the City to acquire the properties municipally known as

51 Hounslow Ave, 70 Ellerslie Ave and parts of 38 Ellerslie Ave. These properties are required to expand and complete the North York City Centre Service Road.

Negotiations with the owners of these properties have been ongoing since June of 2006. The owners have signed irrevocable Offers to Sell their respective properties to the City. Appendices "A" and "C" to this report describe the salient terms of these proposed acquisitions which are considered fair and reasonable.

### Background Information

Report-North York City Centre Service Road Acquisitions

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4191.pdf>)

GM5.23	NO AMENDMENT			Ward: 5
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### Request to Initiate Expropriation Process – 915 Kipling Avenue

#### City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. City Council grant authority to initiate the expropriation process for 915 Kipling Avenue, legally described as Part of Lots 28, 29, 30 and 31 on Registered Plan 1890.
2. City Council grant authority to serve and publish Notices of Application for Approval to Expropriate 915 Kipling Avenue, to forward to the Chief Inquiry Officer any requests for hearing that are received, to attend the hearing to present the City's position and to report the Inquiry Officer's recommendations to City Council for its consideration.
3. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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(May 23, 2007) report from Chief Corporate Officer

#### Committee Recommendations

The Government Management Committee recommends that:

1. City Council grant authority to initiate the expropriation process for 915 Kipling Avenue, legally described as Part of Lots 28, 29, 30 and 31 on Registered Plan 1890.
2. City Council grant authority to serve and publish Notices of Application for Approval to Expropriate 915 Kipling Avenue, to forward to the Chief Inquiry Officer any requests for hearing that are received, to attend the hearing to present the City's position and to report the Inquiry Officer's recommendations to City Council for its consideration.
3. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

### Financial Impact

Funds for the acquisition of the subject property, either by way of negotiated settlement or expropriation, are available in the TTC 2007 approved Capital Budget. The detailed source and amount of funding will form part of a subsequent report to Committee and Council seeking authorization for the acquisition either through negotiation or, if required, by expropriation.

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

### Summary

915 Kipling Avenue has been identified as suitable for the replacement of some of the existing TTC commuter parking spaces that will be lost through the redevelopment of that portion of the Bloor-Islington transit lands at 3326 Bloor Street West and 1226 Islington Avenue.

Negotiations with the owners have been on-going since 2005. Consensus has not yet been reached on terms and conditions of a purchase agreement. While discussions will continue with the owner to attempt to achieve a negotiated settlement, this report seeks authority to initiate the expropriation process to ensure that the subject property is in City ownership to meet the timelines for the construction of the TTC replacement parking spaces.

### Background Information

Report-Request to Initiate Expropriation Process - 915 Kipling Avenue  
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4192.pdf>  
 Appendix A - Site Map 915 Kipling  
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4193.pdf>

GM5.24	AMENDED			Ward: 19
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### Extension of Closing Date for Section 30 Agreement between the City and 863880 Ontario Limited Concerning Lands on the west side of Strachan Avenue

#### City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. Pursuant to the existing agreement under section 30 of the Expropriations Act (the "Section 30 Agreement") between the City and 863880 Ontario Limited ("863880") for certain lands (the "Lands") on the west side of Strachan Avenue, the City exercise its option to extend the closing date from October 31, 2007, to October 31, 2009, in a form satisfactory to the City Solicitor.
2. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

(May 25, 2007) report from Chief Corporate Officer

### **Committee Recommendations**

The Government Management Committee recommends that:

1. Pursuant to the existing agreement under section 30 of the Expropriations Act (the “Section 30 Agreement”) between the City and 863880 Ontario Limited (“863880”) for certain lands (the “Lands”) on the west side of Strachan Avenue, the City exercise its option to extend the closing date from October 31, 2007 to *July 31, 2008*, in a form satisfactory to the City Solicitor.
2. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

### **Financial Impact**

Approval of this report will result in no immediate financial impact. If the City does not extend the closing date as recommended, the City will be required to close the transaction on October 31, 2007, at which time the City will be required to pay \$1.0 million compensation for the Lands, followed by the balance of the compensation that is payable once the amount has been determined by the OMB pursuant to the Expropriations Act. Funding for the expropriation of the Lands is included in the Waterfront Revitalization Initiative Capital Budget, beginning in 2010 (funded from Reserves and the other orders of government). Should the transaction close on October 31, 2007, the funding would need to be accelerated, through a separate report, with a net \$0 impact on the City’s 2007 Approved Capital Budget.

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

### **Summary**

In 2001, the City entered into a section 30 agreement with 863880 Ontario Limited, the owner of lands on the west side of Strachan Avenue, as required for the proposed Front Street Extension. This staff report is requesting authority to exercise the City’s option to extend the closing date for a further two-year period until October 31, 2009. If the City does not extend the closing date as recommended, the City is contractually required to close the transaction on October 31, 2007, at which time the City will be required to pay \$1 million compensation for the lands, followed by the balance of the compensation that is payable once the amount has been determined by the Ontario Municipal Board (“OMB”) pursuant to the Expropriations Act.

### **Background Information**

Report-Extension of Closing Date for Section 30 Agreement between the City and 863880 Ontario Limited Concerning Lands on the west side of Strachan Avenue  
(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4194.pdf>)  
Appendix A-Location/Site Map (As shown in ACR # 18(32) of Dec. 4, 5, 6(01)  
(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4195.pdf>)



## Speakers

Councillor Adam Vaughan

## Decision Advice and Other Information

Recorded Vote:

For: Councillors Ainslie, Jenkins, Palacio and Saundercook.

Opposed: Councillors Lindsay Luby and Holyday.

GM5.25	NO AMENDMENT			Ward: 42
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## Expropriation of Portions of 1051 and 1251 Tapscott Road

### City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. City Council, as approving authority under the Expropriations Act, approve the expropriation of the following land and interest in land required for the McNicoll Avenue Extension Project, to facilitate construction and operation of the highway extension and for all works and uses ancillary thereto:
  - i. Fee Simple in Part 2 on Reference Plan 66R-22872; and
  - ii. a temporary working and right of way Easement for a period ending December 31, 2008, in Part 1 on Reference Plan 66R-22872.
2. City Council, as approving authority under the Expropriations Act, approve the expropriation of the Fee Simple Interest in Parts 6 and 8 on Reference Plan 66R-20197 required for the McNicoll Avenue Extension Project and for all works and uses ancillary thereto.
3. City Council, as expropriating authority under the Expropriations Act, authorize all necessary steps to proceed with the said expropriations in compliance with the Expropriations Act, including, but not limited to, preparation and registration of the Expropriation Plan(s) and the service of Notices of Expropriation, Notices of Election as to a Date for Compensation and Notices of Possession.
4. The Director of Real Estate or the Executive Director of Facilities & Real Estate be authorized to sign the Notices of Expropriation and the Notices of Possession on behalf of the City.
5. Authority be given to apply to Court for an Order permitting the City to take early possession of the expropriated property in order that the proposed highway works may be carried out in mild weather.

6. Leave be granted for introduction of the necessary Bill in Council to give effect thereto.
7. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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(May 17, 2007) report from Chief Corporate Officer

### **Committee Recommendations**

The Government Management Committee recommends that:

1. City Council, as approving authority under the *Expropriations Act*, approve the expropriation of the following land and interest in land required for the McNicoll Avenue Extension Project, to facilitate construction and operation of the highway extension and for all works and uses ancillary thereto:
  - (i) Fee Simple in Part 2 on Reference Plan 66R-22872; and
  - (ii) a temporary working and right of way Easement for a period ending December 31, 2008, in Part 1 on Reference Plan 66R-22872.
2. City Council, as approving authority under the *Expropriations Act*, approve the expropriation of the Fee Simple Interest in Parts 6 and 8 on Reference Plan 66R-20197 required for the McNicoll Avenue Extension Project and for all works and uses ancillary thereto.
3. City Council, as expropriating authority under the *Expropriations Act*, authorize all necessary steps to proceed with the said expropriations in compliance with the *Expropriations Act*, including, but not limited to, preparation and registration of the Expropriation Plan(s) and the service of Notices of Expropriation, Notices of Election as to a Date for Compensation and Notices of Possession.
4. The Director of Real Estate or the Executive Director of Facilities & Real Estate be authorized to sign the Notices of Expropriation and the Notices of Possession on behalf of the City.
5. Authority be given to apply to Court for an Order permitting the City to take early possession of the expropriated property in order that the proposed highway works may be carried out in mild weather.
6. Leave be granted for introduction of the necessary Bill in Council to give effect thereto.
7. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereon.

### **Financial Impact**

There are no financial implications to the City's budgets as a result of these recommendations because the Morningside Heights Landowners Group ("MHLG") have agreed, as a term of the February 22, 2002 Core Servicing Agreement for the Morningside Neighbourhood, to pay all costs of the expropriations for this extension of McNicoll Avenue, Easterly of Tapscott Road.

The Chief Financial Officer and Treasurer has reviewed this report and concurs with the financial impact statement.

### Summary

To seek approval for the expropriation of portions of 1051 and 1251 Tapscott Road for the extension of McNicoll Avenue, easterly from Tapscott Road.

### Background Information

Report-Expropriation of Portions of 1051 and 1251 Tapscott Rd.

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4196.pdf>)

Appendices A, B and C-Location Map and Reference Plans 66R-20197 and 66R-22872

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4197.pdf>)

GM5.26	NO AMENDMENT			Ward: 23
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### **To Permanently Close and Declare Surplus a Portion of Oakburn Crescent, South of Avondale Avenue and the whole of Oakburn Place, branching off southerly from south side of Oakburn Crescent**

### City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. Conditional upon the North York Community Council recommending Recommendation 1 of this report, that:
  - a. City Council declare the Highways surplus to the City's requirements and direct the Chief Corporate Officer to take all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code.
  - b. Authorize the Chief Corporate Officer to invite an offer(s) to purchase the Highways from the abutting landowners, K&G Oakburn Apartments I Limited and K&G Oakburn Apartments II Limited (collectively, "Oakburn"), on a phased basis.
2. City Council authorize and direct the appropriate City officials to take the necessary action to give effect to the above recommendations, including the introduction in City Council of any necessary bills.

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(May 14, 2007) report from General Manager, Transportation Services & Chief Corporate

Officer, addressed to the North York Community Council and the Government Management Committee.

### Committee Recommendations

The Government Management Committee recommends that:

1. Conditional upon the North York Community Council recommending Recommendation 1 of this report, that:
  - a. City Council declare the Highways surplus to the City's requirements and direct the Chief Corporate Officer to take all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code.
  - b. Authorize the Chief Corporate Officer to invite an offer(s) to purchase the Highways from the abutting landowners, K&G Oakburn Apartments I Limited and K&G Oakburn Apartments II Limited (collectively, "Oakburn"), on a phased basis.
2. City Council authorize and direct the appropriate City officials to take the necessary action to give effect to the above recommendations, including the introduction in City Council of any necessary bills.

### Financial Impact

There are no financial implications associated with the adoption of this report.

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 permanently close and declare a portion of Oakburn Crescent, south of Avondale Avenue and the whole of Oakburn Place surplus to municipal requirements, and to authorize the Chief Corporate Officer to invite an offer(s) to purchase from the abutting landowners, K&G Oakburn Apartments I Limited and K&G Oakburn Apartments II Limited.

### Background Information

Report-To Permanently Close and Declare Surplus a Portion of Oakburn Crescent, south of Avondale Avenue and the whole of Oakburn Place, branching off southerly from south side of Oakburn Crescent

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4198.pdf>

Appendix A - Site Map

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4199.pdf>

GM5.27	AMENDED			Ward: 36
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**Encroachment Agreement with Canadian National Railway Company on City-owned Properties Abutting the Southeast Side of its Railway**

## Tracks between Victoria Park Avenue and Birchmount Road

### City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. The City enter into an Encroachment Agreement with CN, with CN paying a one time fee in the amount of \$66,000.00 plus applicable taxes for the construction of embankments on the City-owned properties shown as Parcel Nos. 1, 3, 4, 6, 7, 9, 10 and 12 on individual sketches attached herein, 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 execute the Encroachment Agreement on behalf of the City.
2. The City Solicitor be authorized to complete the transaction on behalf of the City, including making payment of any necessary expenses and amending the Encroachment Agreement commencement date to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.
3. The funds from this transaction with CN be directed to the Parkland Acquisition Reserve Fund based on policy.
4. The General Manager, Parks Forestry and Recreation be directed to report back on amendments to the 5-year Capital plan to include these funds to address the need for parkland development, as a consequence of the impact of the physical encroachment on park property.

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(May 25, 2007) report from Chief Corporate Officer

### Committee Recommendations

The Government Management Committee recommends that:

1. The City enter into an Encroachment Agreement with CN, with CN paying a one time fee in the amount of \$66,000.00 plus applicable taxes for the construction of embankments on the City-owned properties shown as Parcel Nos. 1, 3, 4, 6, 7, 9, 10 and 12 on individual sketches attached herein, 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 execute the Encroachment Agreement on behalf of the City.
2. The City Solicitor be authorized to complete the transaction on behalf of the City, including making payment of any necessary expenses and amending the Encroachment Agreement commencement date 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 \$66,000.00 plus GST if applicable, is anticipated.

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

### Summary

The purpose of this report is to obtain authority to enter into an Encroachment Agreement with the Canadian National Railway Company (“CN”) on City-owned properties abutting the southeast side of its railway tracks between Victoria Park Avenue and Birchmount Road; substantially on the terms and conditions outlined in Appendix “A” to this report. The City-owned lands are shown as Parcel Nos. 1, 3, 4, 6, 7, 9, 10 and 12 on individual sketches attached herein.

### Background Information

Report-Encroachment Agreement with Canadian National Railway Company on City-owned Properties abutting the southeast side of its Railway Tracks between Victoria Park Avenue and Birchmount Road

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4200.pdf>

Sketches-Encroachment Agreement with Canadian National Railway Company on City-owned Properties abutting the southeast side of its Railway Tracks between Victoria Park Avenue and Birchmount Road

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4201.pdf>

Map-Encroachment Agreement with Canadian National Railway Company on City-owned Properties abutting the southeast side of its Railway Tracks between Victoria Park Avenue and Birchmount Road

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4202.pdf>

GM5.28	NO AMENDMENT			Ward: 8
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### Leasing 1118 Finch Avenue West - 11,483 sq. ft. for Children’s Services

#### City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. Council authorize the proposed lease for the premises at 1118 Finch Ave. W., being Units 3 to 7, 9 & 11 to 13, with Century Standard Development Corporation (the “Landlord”), commencing on November 1, 2007 for a 5-year period: at a basic net rental rate per annum in the amount of \$10.00 per sq.ft. for years 1 and 2, \$11.00 per sq.ft. for year 3, and \$12.00 per sq.ft., for years 4 and 5; with additional rent estimated at \$11.59 per sq.ft. for 2007; and, with an option to renew for another 5 years at the end of the term, for the subject premises consisting of an area of approximately 11,483 sq.ft. and based substantially on the terms and conditions as set out in the attached Appendix “A” and in a form acceptable to the City Solicitor.
2. Council authorize a lease extension for the premises at 5150 Yonge Street for a period not exceeding 12 months (with the City having an early termination option upon 30 days notice), at a value not to exceed \$120,000.00, net.

3. The Chief Corporate Officer be authorized to administer and manage the lease agreement including the provision of any consents, approvals, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.

(May 23, 2007) report from Chief Corporate Officer

### Committee Recommendations

The Government Management Committee recommends that:

1. Council authorize the proposed lease for the premises at 1118 Finch Ave. W., being Units 3 to 7, 9 & 11 to 13, with Century Standard Development Corporation (the "Landlord"), commencing on November 1, 2007 for a 5-year period: at a basic net rental rate per annum in the amount of \$10.00 per sq.ft. for years 1 and 2, \$11.00 per sq.ft. for year 3, and \$12.00 per sq.ft., for years 4 and 5; with additional rent estimated at \$11.59 per sq.ft. for 2007; and, with an option to renew for another 5 years at the end of the term, for the subject premises consisting of an area of approximately 11,483 sq.ft. and based substantially on the terms and conditions as set out in the attached Appendix "A" and in a form acceptable to the City Solicitor;
2. Council authorize a lease extension for the premises at 5150 Yonge Street for a period not exceeding 12 months (with the City having an early termination option upon 30 days notice), at a value not to exceed \$120,000.00, net.
3. The Chief Corporate Officer be authorized to administer and manage the lease agreement including the provision of any consents, approvals, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.

### Financial Impact

The total expenditure for the five (5) year term of the lease, commencing November 1, 2007, is estimated to be approximately \$2,073,000.00, including the leasehold improvements, plus G.S.T.

Funding for 2007, including basic rental rate, additional rent, and leasehold improvements, is estimated to be in the amount of approximately \$400,000, plus G.S.T. and is available in the 2007 Approved Operating Budget for Children's Services. Funding requirements for 2008-2012 will be included in the respective year's Children Services Budget Submission and accommodated within approved operating budget targets.

Particulars	Year 1 11/01/07- 10/31/08	Year 2 11/01/08- 10/31/09	Year 3 11/01/09- 10/31/10	Year 4 11/01/10- 10/31/11	Year 5 11/01/11 10/31/12	Total

Government Management Committee Report - Meeting No. 5  
 Considered by City Council on June 19, 20 and 22, 2007

Base Rent per sq.ft.	\$10.00	\$10.00	\$11.00	\$12.00	\$12.00	
Base Rent & Leasehold Improvements	\$17.25 <b>\$165,069(a)</b>	\$17.25 <b>\$198,082</b>	\$18.25 <b>\$209,565.</b>	\$19.25 <b>\$221,048</b>	\$19.25 <b>\$221,048</b>	<b>\$1,014,812.</b>
Additional Rent/sq.ft. - estimated for 2007 & adjusted by 5% annually	\$11.59 <b>\$125,261(a)</b>	\$12.17 <b>\$139,743</b>	\$12.78 <b>\$146,730</b>	\$13.42 <b>\$154,066</b>	\$14.09 <b>\$161,770</b>	<b>\$727,570</b>
Gas/sq.ft. - estimated for 2006 & adjusted by 5% annually	\$3.00 <b>\$34,449</b>	\$3.15 <b>\$36,172</b>	\$3.31 <b>\$37,981</b>	\$3.47 <b>\$39,880</b>	\$3.65 <b>\$41,873</b>	<b>\$190,355</b>
Management Fee 5% of Gross Rent estimate (exclusive of GST)	<b>\$14,000</b>	<b>\$16,900</b>	<b>\$18,000</b>	<b>\$19,000</b>	<b>\$19,200</b>	<b>\$87,100</b>
Management Fee - 15% of Leaseholds (estimated @ \$344,490 – one time)	<b>\$51,674</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>\$51,674</b>
<b>TOTALS</b>	<b>\$390,453</b>	<b>\$390,897</b>	<b>\$412,276</b>	<b>\$433,994</b>	<b>\$443,891</b>	<b>\$2,072,511</b>

1. Amounts include two months Free Rent

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 to lease the premises at 1118 Finch Ave. W., being Units 3 to 7, 9 & 11 to 13, having an area of approximately 11,483 sq.ft., for a term of five (5) years commencing November 1, 2007, for Children's Services. The proposed lease would be substantially on the terms and conditions outlined in Appendix "A" to this Report.

Children's Services' currently leased space at 5150 Yonge St. and 2363 Finch Ave. W. are insufficient to meet their requirements and to house the number of staff due to expansion. The premises at 1118 Finch Ave. W. will meet this Division's longer term requirements.

### Background Information

Report-Leasing 1118 Finch Avenue West - 11,483 sq. ft. for Children's Services

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4205.pdf>)

App. B - Map

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4216.pdf>)

<b>GM5.30</b>	NO AMENDMENT			Ward: All
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## **Amendment to By-law No. 12-2007 (Bingo Licence Fees) Public Notice**

### **City Council Decision**

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. City Council amend By-law 12-2007 to authorize the City Clerk to charge a \$165.00 fee per bingo licence issued to Class A and B pooling bingo halls as substantially set out in Appendix A.
2. City Council authorize and direct the appropriate City Officials to take whatever action is deemed necessary to implement the foregoing, including the introduction in Council of any bills.

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(May 22, 2007) report from City Clerk

### **Committee Recommendations**

The Government Management Committee recommends that City Council:

1. Amend By-law 12-2007 to authorize the City Clerk to charge a \$165.00 fee per bingo licence issued to Class A and B pooling bingo halls as substantially set out in Appendix A.
2. Authorize and direct the appropriate City Officials to take whatever action is deemed necessary to implement the foregoing, including the introduction in Council of any bills.

### **Financial Impact**

There will be no financial impact resulting from this report. The fee structure is revenue neutral.

### **Summary**

The current Bingo Fees By-law authorizes the City Clerk's Office to charge three percent of the prize board per bingo licence (prize boards vary from \$1,800.00 to \$5,500.00). In order to comply with the Alcohol and Gaming Commission of Ontario's (AGCO) "New Bingo Revenue Model" and amendment is required to allow the City Clerk's Office to charge a \$165.00 flat fee per bingo licence regardless of the size of the prize board.

### **Background Information**

Report-Amendment to By-law No. 12-2007 (Bingo Licence Fees)  
(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4218.pdf>)

### **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.

GM5.31	NO AMENDMENT			Ward: All
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## Authority for City Solicitor to Recover Unpaid Fees for Waste Disposal

### City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. Council ratify all steps taken to date in the litigation commenced against 1281694 Ontario Limited, carrying on business as Blue Environmental Services, to recover unpaid solid waste disposal fees totalling \$46,176, and to grant authority to continue the litigation, 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 (including authority to effect a write off of any amounts as necessary), and to execute any documents in furtherance hereto, all in consultation with the General Manager, Solid Waste Management Services.
2. The appropriate City officials be authorized and directed to take the necessary action to give effect hereto.

(May 25, 2007) report from City Solicitor

### Committee Recommendations

The Government Management Committee recommends that:

1. Council ratify all steps taken to date in the litigation commenced against 1281694 Ontario Limited, carrying on business as Blue Environmental Services, to recover unpaid solid waste disposal fees totalling \$46,176, and to grant authority to continue the litigation, 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 (including authority to effect a write off of any amounts as necessary), and to execute any documents in furtherance hereto, all in consultation with the General Manager, Solid Waste Management Services.
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 ratification of all steps taken to date to initiate litigation against 1281694 Ontario Limited, carrying on business as Blue Environmental Services ("Blue Environmental"), to recover unpaid solid waste disposal fees totalling \$46,176, plus interest and legal fees.

## Background Information

Report-Authority for City Solicitor to Recover Unpaid Fees for Waste Disposal  
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4219.pdf>

GM5.33	NO AMENDMENT			Ward: 3
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## Centennial Park Mini-Indy - Amendment of Existing Lease

### City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motion:

1. Staff be authorized to negotiate and execute an amendment to the current Lease Agreement between Centennial Park Mini-Indy and the City, effective for 2007, in which the City accepts the portion of the Leased Premises containing two baseball diamonds in exchange for the determined value of \$360,000 to be settled through an offset against past rent owing of \$171,014 and 2007 – 2009 rent totalling \$188,986 as well as a rent reduction of \$20,000 per year for the remaining years of the lease, and in accordance with terms and conditions acceptable to the General Manager of Parks, Forestry and Recreation Division and the City Solicitor.

(May 22, 2007) report from General Manager, Parks, Forestry and Recreation Division

### Committee Recommendations

The Government Management Committee recommends that:

1. Staff be authorized to negotiate and execute an amendment to the current Lease Agreement between Centennial Park Mini-Indy and the City, effective for 2007, in which the City accepts the portion of the Leased Premises containing two baseball diamonds in exchange for the determined value of \$360,000 to be settled through an offset against past rent owing of \$171,014 and 2007 – 2009 rent totalling \$188,986 as well as a rent reduction of \$20,000 per year for the remaining years of the lease, and in accordance with terms and conditions acceptable to the General Manager of Parks, Forestry and Recreation Division and the City Solicitor.

### Financial Impact

The current \$360,000 determined acquisition value of the baseball diamonds will be offset by a prior year outstanding receivable from CPMI in the amount of \$171,014, and rent relief in the amount of \$188,986 in the years 2007, 2008 and 2009 (see Appendix A). The \$20,000 yearly rent reduction to CPMI will be offset by revenues from permits issued by the City for the rental of the two baseball diamonds. As a result of this settlement to acquire these baseball diamonds, in 2007 there will be unachieved budgeted revenue of \$110,000 arising from this agreement (less an estimate of \$20,000 in permit revenue). For 2008, unachieved revenue will be \$110,000 and \$28,986 in 2009. Starting in 2007, until the lease ends in 2020, it is estimated that \$20,000 of permit revenue will compensate for the ongoing \$20,000 reduction in the rental

revenue from this lease.

Consultation with both internal and external maintenance and construction specialists determined that the current estimate to construct similar diamonds in 2007 dollars is \$459,000. Further, that to undertake necessary immediate repairs to the existing diamonds, including all fees and contingencies would cost \$55,000. With the inclusion of Depreciation of \$44,000, the current value of the diamonds is \$360,000.

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 authority to amend the existing lease with Centennial Park Mini-Indy (CPMI). This amendment will allow CPMI to return the portion of the leased lands containing two baseball diamonds to the City in exchange for rent owed and an adjustment to the existing fee schedule to be paid.

### **Background Information**

Report-Centennial Park Mini-Indy - Amendment of Existing Lease  
(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-4221.pdf>)

*Submitted Tuesday, June 12, 2007*

*Deputy Speaker Councillor Gloria Lindsay Luby, Chair, Government Management Committee*