
Government Management Committee

Meeting No.	9	Contact	Yvonne Davies, Committee Administrator
Meeting Date	Thursday, November 8, 2007	Phone	416-392-7443
Start Time	9:30 AM	E-mail	ydavies@toronto.ca
Location	Committee Room 1, City Hall		

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GM9.3	NO AMENDMENT			Ward: All
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Extension of Career Bridge Contract

City Council Decision

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

1. City Council authorize the Executive Director of Human Resources to extend the existing agreement and sole source contract (Contract #47012328), with Career Edge Organization for a one year period beginning January 2, 2008, for a total potential cost of \$500,000.00 net of GST, with the option to renew for four additional one (1) year periods in the amount of \$500,000.00 per year. Should the options to renew be exercised, the Executive Director of Human Resources will instruct the Director of Purchasing and Materials Management to process the necessary contract renewals under substantially the same terms and conditions. The total potential contract award identified in this report for the five (5) year period from January 2, 2008, to December 31, 2012, is \$2,500,000.00, net of GST.
2. City Council authorize the Executive Director of Human Resources to execute the agreement referred to in Part 1 and any subsequent renewals on behalf of the City.

(October 25, 2007) Report from Executive Director, Human Resources and Director,
Purchasing and Materials Management

Committee Recommendations

The Government Management Committee recommends that City Council:

1. Authorize the Executive Director, Human Resources to extend the existing agreement and sole source contract (Contract # 47012328.), with Career Edge Organization for a one year period beginning January 2, 2008, for a total potential cost of \$500,000 net of GST, with the option to renew for four additional one (1) year periods in the amount of \$500,000 per year. Should the options to renew be exercised, the Executive Director of Human Resources will instruct the Director of Purchasing and Materials Management to process the necessary contract renewals under substantially the same terms and

conditions. The total potential contract award identified in this report for the five (5) year period from Jan. 2, 2008 to Dec. 31, 2012 is \$2,500,000, net of GST.

2. Authorize that the Executive Director, Human Resources to execute the agreement referred to in Recommendation 1 and any subsequent renewals on behalf of the City.

Financial Impact

The costs for the internships will be absorbed within the approved annual budgets of the divisions hiring an intern.

Summary

The City seeks to renew the current agreement with the Career Edge organisation to continue participation in the Career Bridge program. The current agreement expires on December 31, 2007.

The City set a goal of 15 interns to be placed in 2007, and to date 14 interns have been placed. City divisions have had a very positive experience with the Career Bridge program and the interns have found their work experience at the City very valuable. The City wishes to continue participation in the Career Bridge program.

Background Information

Report - Extension of Career Bridge Contract

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7955.pdf>)

GM9.4	NO AMENDMENT			Ward: All
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Banking Services Contract 47010773 - Request for Extension

City Council Decision

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

1. Council authorize the Treasurer to negotiate a two-year contract extension with the Royal Bank for the banking services contract 47010773 with an expiry date of June 30, 2010, and report back to Council, through the Government Management Committee, with the proposed terms and conditions of the contract extension for approval.
2. Council strongly encourage the City's agencies, boards and commissions to participate in the City's next RFP for banking services.
3. The appropriate City officials be directed to take the necessary action to give effect thereto.

(October 25, 2007) Report from Treasurer

Committee Recommendations

The Government Management Committee recommends that:

1. Council authorize the Treasurer to negotiate a two-year contract extension with the Royal Bank for the banking services contract 47010773 with an expiry date of June 30, 2010 and report back to Council through the Government Management Committee with the proposed terms and conditions of the contract extension for approval.
2. Council strongly encourage the City's Agencies, Boards and Commissions to participate in the City's next RFP for banking services.
3. The appropriate City officials be directed to take the necessary action to give effect thereto.

Financial Impact

There are no immediate financial impacts as a result of this report. There is a potential for future savings on the banking contract if a number of ABCs join with the City in an RFP.

Summary

This report requests that Council authorize the Treasurer to negotiate a contract extension to the banking services contract with the Royal Bank for the period from July 1, 2008 to June 30, 2010. The approval of this extension will assist the Office of the Treasurer in completing its major projects that are taking place during this period and will allow ABCs to participate in the RFP process.

Background Information

Report - Banking Services Contract 47010773 - Request for Extension
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7956.pdf>

GM9.5	NO AMENDMENT			Ward: All
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Metropolitan Toronto Pension Plan - Increase in Minimum Pension

City Council Decision

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

1. Effective January 1, 2008, the minimum pension payable to eligible pensioners of the Metropolitan Toronto Pension Plan be increased from \$300.00 per year of service to \$450.00 per year of service, limited to 30 years.
2. The estimated cost of \$8.0 million be funded from the Plan's Indexation Reserve Account.

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.

(October 25, 2007) Report from Treasurer

Committee Recommendations

The Government Management Committee recommends to City Council that:

1. Effective January 1, 2008, the minimum pension payable to eligible pensioners of the Metropolitan Toronto Pension Plan be increased from \$300 per year of service to \$450 per year of service, limited to 30 years.
2. The estimated cost of \$8.0 million be funded from the Plan's Indexation Reserve Account.
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 this improvement is \$8.0 million and is payable from the Plan's Indexation Reserve Account. The balance of the indexation reserve account is currently \$102.6 million, after allowing for this year's cost-of-living increase, and there will be no cost to the City.

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

Summary

This report recommends an increase in the minimum annual pension for pensioners who are members of the Metropolitan Toronto Pension Plan from \$300 to \$450 per year of service.

The 2006 Actuarial Valuation results of the Metropolitan Toronto Pension Plan presented to this committee in June 2007 highlight the continued strong financial position of the Plan. The actuary has reported to the Board of Trustees on the cost of this increase and recommended that the minimum pension be increased to \$450 effective as early as practical. The cost of this increase is approximately \$8.0 million and is funded from the Plan's Indexation Reserve

Account which has a current balance of \$102.6 million.

Background Information

Report – Metropolitan Toronto Pension Plan - Increase in Minimum Pension

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7957.pdf>)

5a Metropolitan Toronto Pension Plan - Increase in Minimum Pension

(September 28, 2007) Letter from Board of Trustees of the Metropolitan Toronto Pension Plan

Decision Advice and Other Information

The Board approved the minimum pension be increased from \$300 per year of service to a level of \$450 per year of service limited to 30 years and requested the City Treasurer to submit a report thereon to the Government Management Committee as soon as possible.

Summary

The Board of Trustees of the Metropolitan Toronto Pension Plan on September 25, 2007, considered a communication (July 13, 2007) from Anil Narale, Principal, Mercer, recommending that the Board of Trustees consider improving the minimum pension to a level of \$450 per year of service limited to 30 years, effective as early as practical, based on the inflation since the last minimum pension upgrade in 1992, the current surplus in the pension plan and cost of the improvement.

Background Information

Letter - Metropolitan Toronto Pension Plan - Increase in Minimum Pension

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7959.pdf>)

GM9.6	NO AMENDMENT			Ward: 20
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Toronto Complaints to the Payment-in-Lieu of Taxes Dispute Advisory Panel for the CBC Property at 250 Front Street West

Confidential Attachment - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (Attachment 1)

City Council Decision

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

1. Council adopt the recommendations contained in Confidential Attachment 1.
2. Council authorize the public release of the confidential information and recommendations in Attachment 1, at the discretion of the City Solicitor, if a settlement is finalized to the satisfaction of the City Solicitor.

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

Confidential Attachment 1 to the report (October 23, 2007) from the Treasurer, remains confidential in its entirety, at this time, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board. This Attachment will be made public at the discretion of the City Solicitor, if a settlement is finalized to the satisfaction of the City Solicitor.

(October 23, 2007) Report from Treasurer

Committee Recommendations

The Government Management Committee recommends that:

1. Council adopt the recommendations contained in Confidential Attachment 1.
2. Council authorize the public release of the confidential information and recommendations in Attachment 1, at the discretion of the City Solicitor, if a settlement is finalized to the satisfaction of the City Solicitor.
3. The appropriate City staff be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

Details regarding financial impacts resulting from the recommendations made in this report are disclosed in Confidential Attachment 1.

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

Summary

This report advises on the status of complaints filed by the City of Toronto with the federal Payment-in-Lieu of Taxes Dispute Advisory Panel, for taxation years 1998 to 2003 inclusive, for the property known as “the CBC” (Canadian Broadcasting Corporation) situated at 250 Front Street West. In addition, the report recommends a strategy for dealing with the Payment-in-Lieu of Taxes (PILs) for the years 2004 to 2007.

Background Information

Report - Toronto Complaints to the Payment-in-Lieu of Taxes Dispute Advisory Panel for the CBC Property at 250 Front Street West

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7960.pdf>)

Confidential Attachment 1 - Toronto Complaints to the Payment-in-Lieu of Taxes Dispute Advisory Panel for the CBC Property at 250 Front Street West

GM9.7	NO AMENDMENT			Ward: 28
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Enoch Turner Schoolhouse - 106 Trinity Street - Continuation of Property Tax Exemption

City Council Decision

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

1. Council authorize amendments to By-law No. 244-86 to continue to provide a property tax exemption for the property at 106 Trinity Street, in the event that the property is sold or transferred, provided that, following the sale or transfer, the property continues to be occupied for the purposes of the Enoch Turner Schoolhouse Foundation, and operated through a partnership agreement between the property owner and the Foundation.
2. Council authorize that an agreement be executed between the City, the Enoch Turner Schoolhouse Foundation and the owner of the property at 106 Trinity Street, to reflect the terms and conditions of the property tax exemption, consistent with amendments to the by-law as provided in Part 1, above.
3. All other provisions of the existing agreement dated March 27, 1986, between the Foundation and the City, remain in effect and apply, with necessary modifications, to a new agreement between the City, the Enoch Turner Schoolhouse Foundation and the owner of the property at 106 Trinity Street, and the new agreement be registered on title to the property.
4. Authority be granted for the introduction of the necessary bills to give effect thereto.
5. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

 (October 24, 2007) Report from Treasurer

Committee Recommendations

The Government Management Committee recommends that:

1. Council authorize amendments to By-law No. 244-86 to continue to provide a property tax exemption for the property at 106 Trinity Street, in the event that the property is sold or transferred, provided that, following the sale or transfer, the property continues to be occupied for the purposes of the Enoch Turner Schoolhouse Foundation, and operated through a partnership agreement between the property owner and the Foundation.

2. Council authorize that an agreement be executed between the City, the Enoch Turner Schoolhouse Foundation and the owner of the property at 106 Trinity Street, to reflect the terms and conditions of the property tax exemption, consistent with amendments to the by-law as provided in Recommendation 1, above.
3. All other provisions of the existing agreement dated March 27, 1986 between the Foundation and the City remain in effect, and apply, with necessary modifications, to a new agreement between the City, the Enoch Turner Schoolhouse Foundation and the owner of the property at 106 Trinity Street, and that the new agreement be registered on title to the property.
4. Authority be granted for the introduction of the necessary bills to give effect thereto.
5. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

There is no financial implication in adopting this report.

Summary

This report seeks Council authority to make necessary amendments to By-law No. 244-86 and to replace the agreement signed on March 27, 1986 between The Enoch Turner Schoolhouse Foundation (the Foundation) and the City of Toronto, to allow the existing property tax exemption for the Foundation's property at 106 Trinity Street to continue following a transfer of ownership to the Ontario Heritage Trust (OHT). The existing agreement and by-law provide that, should the property be sold, leased or transferred, the tax exemption is cancelled and back taxes for a period of up to 10 years become repayable to the City.

Background Information

Report - Enoch Turner Schoolhouse - 106 Trinity Street - Continuation of Property Tax Exemption

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7962.pdf>)

GM9.8	NO AMENDMENT			Ward: All
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Cancellation, Reduction or Refund of Property Taxes - November 2007 Hearing

City Council Decision

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

1. The individual tax appeal applications made pursuant to section 323 of the City of Toronto Act, 2006, resulting in tax reductions totalling \$1,381,147.97, including reductions in Business Improvements Area charges and excluding phase-in/capping

adjustments, as identified in Appendix A, be approved.

2. The individual tax appeal applications made pursuant to section 325 of the City of Toronto Act, 2006, resulting in tax reductions totalling \$88,416.66, including reductions in Business Improvements Area charges and excluding phase-in/capping adjustments, as identified in Appendix B, be approved.
3. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Statutory - City of Toronto Act, 2006

(October 22, 2007) Report from Treasurer

Committee Recommendations

The Government Management Committee recommends to City Council that:

1. The individual tax appeal applications made pursuant to section 323 of the *City of Toronto Act, 2006* resulting in tax reductions totalling \$1,381,147.97, including reductions in Business Improvements Area charges and excluding phase-in/capping adjustments, as identified in Appendix A, be approved.
2. The individual tax appeal applications made pursuant to section 325 of the *City of Toronto Act, 2006* resulting in tax reductions totalling \$88,416.66 including reductions in Business Improvements Area charges and excluding phase-in/capping adjustments, as identified in Appendix B, be approved.
3. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Decision Advice and Other Information

The Government Management Committee held a statutory hearing on Thursday, November 8, 2007, in accordance with the *City of Toronto Act, 2006*. No one appeared before the Committee.

Financial Impact

The financial impact of approving the individual tax appeal applications (excluding phase-in/capping adjustments), as identified in Appendices A and B, attached, is summarized in Table 1 below:

Table 1: Appeals Summary

Appendix	No. of Applications	Recommended Tax Reduction Total	City Share	Education Share	Total BIA
A	23	\$1,381,147.97	\$709,815.86	\$671,042.20	\$ 289.91

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Considered by City Council on November 19 and 20, 2007

B	12	\$ 88,416.66	\$ 48,097.88	\$ 39,564.89	\$ 753.89
Total	35	\$1,469,564.63	\$757,913.74	\$710,607.09	\$1,043.80

The City's share of \$757,913.74 will be funded from the 2007 Tax Deficiency Account (Non-Program Budget). The education share of \$710,607.09 will be recovered from the province/school boards, and the Business Improvement Area (BIA) reductions of \$1,043.80 will be funded from the respective BIA provision.

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

Summary

This report deals with applications filed by taxpayers to the Treasurer under sections 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 its use etc. Under section 325 of the COTA, taxpayers can request a cancellation, reduction or refund of taxes when an error in the assessment roll is identified which results in an overcharge.

The legislation requires Council to hold a public meeting where the applicants may make submission in defence of their position. 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 November 2007 Hearing (<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7963.pdf>)

Appendix A: Council Detail Hearing Report - Section 323 of COTA, Hearing 2007H5 (<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7964.pdf>)

Appendix B: Council Detail Hearing Report - Section 325 of COTA, Hearing 2007H5 (<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7965.pdf>)

GM9.9	NO AMENDMENT			Ward: All
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Apportionment of Property Taxes - November 2007 Hearing

City Council Decision

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

1. The property tax in the amounts identified in Appendix A and Appendix B, under the columns entitled "Apportioned Tax" and "Apportioned Phase In/Capping", be approved.

2. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.
3. The Chief Planner, in consultation with the City Solicitor, be requested to report to the Planning and Growth Management Committee on the feasibility of establishing a deposit system in anticipation of future taxes, as a condition of development approval, and to include in such report, comment on Councillor Palacio's remarks on how the City of Toronto can:
 - i. speed up the condominium registration process; and
 - ii ensure that the property taxes for all units are paid in full from the time that construction on the units is completed, or from the time that the units are occupied, and not merely from the time the condominium is registered, which may be many months or years later resulting in hundreds of thousands of dollars in lost property taxes to the City. Residents also often lose preferential mortgage rates in the interim.

Statutory - City of Toronto Act, 2006

(October 22, 2007) Report from Treasurer

Committee Recommendations

The Government Management Committee recommends to City Council that:

1. The property tax in the amounts identified in Appendix A and Appendix B, under the columns entitled "Apportioned Tax" and "Apportioned Phase In/Capping", be approved.
2. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.
3. The Chief Planner, in consultation with the City Solicitor, be requested to report to the Planning and Growth Management Committee on the feasibility of establishing a deposit system in anticipation of future taxes, as a condition of development approval, and to include in such report, comment on Councillor Palacio's remarks on how the City of Toronto can:
 - i. speed up the condominium registration process; and
 - ii ensure that the property taxes for all units are paid in full from the time that construction on the units is completed, or from the time that the units are occupied, and not merely from the time the condominium is registered, which may be many months or years later resulting in hundreds of thousands of dollars in lost property taxes to the City. Residents also often lose preferential mortgage

rates in the interim.

Decision Advice and Other Information

The Government Management Committee held a statutory hearing on Thursday, November 8, 2007, in accordance with the *City of Toronto Act, 2006*, and the following persons addressed the Committee:

- Suzanne Harrington; and
- Greg and Hilda Warren.

Financial Impact

Appendices A and B identify that approximately \$54,521.15 (as at October 10, 2007) in penalty/interest charges has accumulated on the tax accounts pending the initiation of the process to reallocate the taxes. This amount, and any other interest that will accumulate on the accounts pending the finalization of the process, will be written off. Funding for the write-off of the interest/penalty amount is provided for in the 2007 Tax Penalty Account (Non-Program Budget).

With the exception of the penalty/interest amounts that will be written off, the reallocation of the property taxes from one account to other accounts has no financial impact on the City of Toronto and merely serves to secure the City's revenues.

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

Summary

In December of each year, the Municipal Property Assessment Corporation (MPAC) provides municipalities with an assessment roll containing property assessment data. The information included on the assessment roll should reflect the property's characteristics (e.g. legal description, ownership and property class) as of November of that year. The assessment roll data is used by municipalities to calculate the following year's property taxes.

If after the assessment roll is provided to municipalities, a property is severed and split into two or more parcels of land (e.g. when a single property is redeveloped into condominiums/townhouses/new homes), then any taxes that remain unpaid on the single property (which no longer exists once the property is re-developed) may need to be removed from the original property and divided amongst the newly created properties.

MPAC is responsible for apportioning the assessed value of the original property to the newly created properties. Based on the assessment apportionment information supplied by MPAC, the City distributes the taxes from the original property to the newly created properties in portion to the assessed value. This process of redistributing taxes following the severance or re-development of a property is referred to as "the apportionment of taxes" and is governed by Section 322 of the *City of Toronto Act, 2006 (COTA)*. The apportionment process does not change the total amount of taxes charged, but rather divides the taxes on the original property between the newly created properties.

The process to apportion taxes may be initiated by the Treasurer of a municipality or a property owner. The COTA requires that upon receipt of an application to reallocate taxes, Council must hold a public meeting at which the applicant and/or affected property owners may make submissions in defence of their position. Authority to hold such public meetings has been delegated to the Government Management Committee.

This report recommends approval of 24 applications initiated by both the Treasurer and taxpayers for the properties listed in Appendices A and B (attached).

Background Information

Report - Apportionment of Property Taxes - November 2007 Hearing
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7966.pdf>

Appendix A: Apportionment Report - Treasurer Initiated Tax Apportionments (October 10, 2007)

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7967.pdf>

Appendix B: Apportionment Report - Taxpayer Initiated Tax Apportionments (October 10, 2007)

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7968.pdf>

Speakers

Suzanne Harrington

Greg and Hilda Warren

GM9.10	NO AMENDMENT			Ward: All
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Routine Records Retention By-law Amendment

City Council Decision

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

1. City Council amend the Municipal Code Chapter 217, Record's Corporate (City) to revise the records series schedules as noted in Appendix 1 and to add the new record retention schedules in Appendix 2.
2. City Council repeal record retention by-laws of former municipalities as set out in Appendix 3.
3. City Council grant the authority to introduce the necessary bills in Council to give effect to the foregoing.
4. City Council authorize the appropriate City of Toronto officials to take the necessary action to give effect thereto.

(October 16, 2007) Report from City Clerk

Committee Recommendations

The Government Management Committee recommends that City Council:

1. Amend the Municipal Code Chapter 217, Record's Corporate (City) to revise the records series schedules as noted in Appendix 1 and to add the new record retention schedules in Appendix 2.
2. Repeal record retention by-laws of former municipalities as set out in Appendix 3.
3. Grant the authority to introduce the necessary bills in Council to give effect to the foregoing.
4. Authorize the appropriate City of Toronto officials to take the necessary action to give effect thereto.

Financial Impact

There are no financial implications resulting from the adoption of the recommendations in this report.

Summary

This report requests City Council's approval of routine amendments to the City's record retention by-law, Municipal Code Chapter 217, Record's Corporate (City), including the revision of existing record retention schedules, the addition of new ones, and the repeal of retention schedules of the former municipalities. The City's Records Retention Committee, comprised of representatives from Legal Services, Internal Audit, and the City Clerk's Office, and an external auditor concur with the recommendations in this report. The inclusion in the by-law of new record retention schedules that supersede those of the former municipalities enables consistent administration of the City's information.

Unmanaged information is a liability for the creator and custodian. Establishing retention schedules is a fundamental tool to reduce risk and support effective asset management of the City's information. Consistent management of the City's information assets also complies with federal and provincial statutory retention requirements, including the City of Toronto Act, 2006, and contributes to effective access by City administrators and citizens. Timely destruction of records that have completed their scheduled retention period protects the City's legal interests and reduces administrative costs for storage and retrieval.

Background Information

Report - Routine Records Retention Bylaw Amendment

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7969.pdf>)

Appendix 1: Revision to existing record retention schedules

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7970.pdf>)

Appendix 2: New record retention schedules

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7971.pdf>)

Appendix 3: Former Municipalities' By-laws to be repealed
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7972.pdf>

GM9.11	AMENDED			Ward: All
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Solar Thermal Energy Purchase Strategy

City Council Decision

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

1. Council authorize the use of the “solar utility” approach, as outlined in Appendix A to this report, to advance solar heating systems installed on City buildings.
2. The appropriate City staff be authorized to issue a request for proposals, in order to select a firm to develop and implement solar heating systems on up to 20 City buildings using the solar utility approach.
3. The appropriate City staff be authorized to negotiate and enter a long-term agreement of up to 20 years with the selected firm(s) on terms and conditions that are satisfactory to the Chief Corporate Officer and the City Solicitor and in a form that is satisfactory to the City Solicitor, the terms of which are to include:
 - a. the supply and installation of solar heating systems on selected City buildings;
 - b. the energy rate to be paid to the firm for the solar energy generated; and
 - c. performance monitoring, dispute resolution and remedies for unsatisfactory performance and other terms to protect the City’s interests.
4. The Chief Corporate Officer be directed to review the feasibility of adopting an analogous strategy for geo-thermal energy and report back to Council, through the Government Management Committee, within four months.

(October 19, 2007) Report from Chief Corporate Officer

Committee Recommendations

The Government Management Committee recommends that:

1. Council authorize the use of the “solar utility” approach, as outlined in Appendix A to this report, to advance solar heating systems installed on City buildings.
2. The appropriate City staff be authorized to issue a request for proposals in order to select a firm to develop and implement solar heating systems on up to 20 City buildings using the solar utility approach.

3. The appropriate City staff be authorized to negotiate and enter a long-term agreement of up to 20 years with the selected firm(s) on terms and conditions that are satisfactory to the Chief Corporate Officer and the City Solicitor and in a form that is satisfactory to the City Solicitor, the terms of which are to include:
 - a. the supply and installation of solar heating systems on selected City buildings;
 - b. the energy rate to be paid to the firm for the solar energy generated; and
 - c. performance monitoring, dispute resolution and remedies for unsatisfactory performance and other terms to protect the City’s interests.

Financial Impact

Under the “Solar Utility” arrangement the City will not own or operate the solar system on its facilities. The City will only pay for actual energy produced from the solar system at a rate equal to or lower than the existing utility rate and therefore there are no negative financial impacts arising out of this report. This arrangement could potentially reduce the energy budget in buildings where solar energy systems are installed.

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

Summary

This report is seeking Council’s authority to use the solar utility as one approach to develop renewable thermal (heating) energy opportunities on City facilities. In the solar utility approach, an energy specialist firm would supply, install, own, operate and maintain solar systems on City facilities and the City would purchase the actual energy generated for its use. The energy firm would act, in essence, as an energy utility but with the energy generator being on the City’s buildings.

It should be noted that solar thermal systems use the sun’s energy to heat water. The hot water is used for heating buildings, swimming pools or domestic hot water. Photovoltaic or PV systems use the sun’s energy to generate electricity. This report is related to solar thermal systems.

Background Information

Report - Solar Thermal Energy Purchase Strategy
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7973.pdf>
 Appendix A - Solar Utility
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7974.pdf>

GM9.12	NO AMENDMENT			Ward: 32
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Toronto Athletic Field)

City Council Decision

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

1. The City enter into a Limiting Distance Agreement with the property owner of 2 Whistle Post Street for a portion of the East Toronto Athletic Field for the amount of \$3,280.00 and subject to the property owner paying an administration fee of \$600.00 plus any applicable GST, and on such terms and conditions as are satisfactory to the Chief Corporate Officer in a form and content acceptable to the City Solicitor.

(October 23, 2007) Report from Chief Corporate Officer

Committee Recommendations

The Government Management Committee recommends to City Council that:

1. The City enter into a Limiting Distance Agreement with the property owner of 2 Whistle Post Street for a portion of the East Toronto Athletic Field for the amount of \$3,280.00 and subject to the property owner paying an administration fee of \$600.00 plus any applicable GST, and on such terms and conditions, as are satisfactory to the Chief Corporate Officer, in a form and content acceptable to the City Solicitor.

Financial Impact

Revenue in the total amount of \$3,280.00 is anticipated.

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

Summary

To obtain authority to enter into a Limiting Distance Agreement to permit the property owner of 2 Whistle Post Street a greater percentage of openings than the limiting distance provisions of Section 3.2.3.1 of the Ontario Building Code.

Background Information

Report - Limiting Distance Agreement - Adjacent to 2 Whistle Post Street (East Toronto Athletic Field)

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7975.pdf>

Appendix A - Site Map and Survey

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7976.pdf>

GM9.13	NO AMENDMENT			Ward: 23
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Sale of Portion of 33 and 37 Olive Avenue and 28 and 32 Holmes

Avenue

City Council Decision

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

1. The Offer to Purchase from Great Land (Olive) Inc. to purchase the portions of City-owned land, more particularly described as being parts of Lots 77, 78, 95 and 96 on Plan 2282, and shown as Parts 1 and 2 on Sketch No. PS-2007-169 (the "Property"), in the amount of \$655,929.79, be accepted substantially on the terms and conditions outlined in Appendix "A" to this report, and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept the Offer to Purchase on behalf of the City.
2. Authority be granted to direct the net proceeds to the Development Charges Reserve Fund – North York.
3. Authority be granted to direct a portion of the proceeds of closing to fund the outstanding expenses related to the property and the completion of the sale transaction.
4. The City Solicitor be authorized to complete the transaction on behalf of the City, including making payment of any necessary expenses and amending the closing and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.

(October 23, 2007) Report from Chief Corporate Officer

Committee Recommendations

The Government Management Committee recommends to City Council that:

1. The Offer to Purchase from Great Land (Olive) Inc. to purchase the portions of City-owned land, more particularly described as being parts of Lots 77, 78, 95 and 96 on Plan 2282, and shown as Parts 1 and 2 on Sketch No. PS-2007-169 (the "Property"), in the amount of \$655,929.79, be accepted substantially on the terms and conditions outlined in Appendix "A" to this report, and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept the Offer to Purchase on behalf of the City.
2. Authority be granted to direct the net proceeds to the Development Charges Reserve Fund – North York.
3. Authority be granted to direct a portion of the proceeds of closing to fund the outstanding expenses related to the property and the completion of the sale transaction.
4. The City Solicitor be authorized to complete the transaction on behalf of the City, including making payment of any necessary expenses and amending the closing and

other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.

Financial Impact

We anticipate that revenue in the amount of \$655,929.79, (exclusive of GST), less closing costs and the usual adjustments will be generated by this sale.

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

Summary

The purpose of this report is to authorize the sale of portions of City-owned land at 33 and 37 Olive Avenue and 28 and 32 Holmes Avenue, more particularly described in the Recommendations below, and shown as Parts 1 and 2 on Sketch No. PS-2007-169 attached as Appendix "B".

Having completed negotiations with the adjoining land owner, Great Land (Olive) Inc., we are recommending acceptance of the Offer to Purchase substantially on the terms and conditions outlined in the attached Appendix "A".

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

Background Information

Report - Sale of Portions of 33 and 37 Olive Avenue and 28 and 32 Holmes Avenue

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7977.pdf>)

Appendix "A" - Terms and Conditions of Offer to Purchase

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7978.pdf>)

Appendix "B" - Site map and Sketch No. PS-2007-169

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7979.pdf>)

GM9.14	AMENDED			Ward: 41
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Lease - City Owned Property Situated at 4115 Sheppard Avenue East

City Council Decision

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

1. City Council authorize the lease of the City owned property at 4115 Sheppard Avenue East, consisting of a 2-storey house and surrounding lot, to Mr. John Yuen Yam Ho (the "Tenant"), for a six (6) year period, commencing on August 1, 2006, and expiring on July 31, 2012, to carry on the business of car leasing and/or used car sales, subject to the rent and terms and conditions as set out in the attached Appendix "A", and in a form acceptable to the City Solicitor.

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

3. The Lessee be required to erect barriers to the satisfaction of the General Manager, Transportation Services, to prevent the encroachment or display of vehicles on City road allowances beyond the boundaries of the actual property leased and to landscape the property in a manner subject to the satisfaction of the Chief Planner and Executive Director, City Planning.

(October 22, 2007) Report from Chief Corporate Officer and Director of Real Estate, Facilities and Real Estate Division

Committee Recommendations

The Government Management Committee recommends that City Council:

1. Authorize the lease of the City owned property at 4115 Sheppard Avenue East, consisting of a 2-storey house and surrounding lot, to Mr. John Yuen Yam Ho (the "Tenant"), for a six (6) year period, commencing on August 1, 2006 and expiring on July 31, 2012, to carry on the business of car leasing and/or used car sales, subject to the rent and terms and conditions as set out in the attached Appendix "A", and in a form acceptable to the City Solicitor.

2. Authorize the Chief Corporate Officer 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

This lease will generate net revenue of approximately \$179,800.00 (plus GST), over the six year term, starting retroactively from August 1, 2006 as follows:

	Per Month	Per Year	Total
Year 1-3, Aug 1, 2006 to July 31, 2009	\$2,417	\$29,000	\$87,000
Year 4-5 Aug 1, 2009 to July 31, 2011	\$2,538	\$30,450	\$60,900
Year 6 Aug 1, 2011 to July 31, 2012	\$2,658	\$31,900	\$31,900
			\$179,800

The tenant is responsible for realty taxes and all utility costs.

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

Summary

The purpose of this Report is to obtain Council's authority to enter into a six (6) year Lease Agreement with Mr. John Yuen Yam Ho (the 'Tenant') for the City-owned property situated at 4115 Sheppard Avenue East commencing on August 1, 2006. The proposed lease would be substantially on the terms and conditions outlined in Appendix "A" to this Report.

Background Information

Report - Lease - City Owned Property Situated at 4115 Sheppard Avenue East

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7980.pdf>)

Appendix "A" - Major terms and conditions

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7981.pdf>)

Appendix "B" - Location Map

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7982.pdf>)

GM9.15	NO AMENDMENT			Ward: 27
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Lease Renewal – Ground Floor Space - 111 Wellesley Street East

City Council Decision

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

1. Council authorize the proposed renewal lease for the ground floor space at 111 Wellesley Street with 1133708 Ontario Limited commencing on October 1, 2007, for a period of five (5) years at a rental of \$2,000.00 net per month (\$24,000.00 per annum) for the term, consisting of an area of approximately 905 square feet, 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. 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.

(October 18, 2007) Report from Chief Corporate Officer

Committee Recommendations

The Government Management Committee recommends that:

1. Council authorize the proposed renewal lease for the ground floor space at 111 Wellesley Street with 1133708 Ontario Limited commencing on October 1, 2007, for a

period of five (5) years at a rental of \$2,000.00 net per month (\$24,000.00 per annum) for the term, consisting of an area of approximately 905 square feet, 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. 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

This lease will generate net revenue of \$24,000.00 per year, for a total of \$120,000.00 for the five (5) year term of the lease, commencing on October 1, 2007.

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 renew the existing commercial lease with 1133708 Ontario Limited o/a Corner Kitchen for approximately 905 square feet of ground floor space at 111 Wellesley Street for the purposes of a fast food restaurant.

Corner Kitchen has exercised its right to renew the existing lease for a further term of five (5) years, effective October 1, 2007.

Background Information

Report - Lease Renewal - Ground Floor Space - 111 Wellesley Street East

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7983.pdf>)

Appendix "A"

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7984.pdf>)

Appendix "B" - Location Map

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7985.pdf>)

GM9.16	NO AMENDMENT			Ward: 18
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Lease Renewal - 1900 Dundas Street West - Social Services

City Council Decision

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

1. Council authorize the proposed lease renewal for the premises at 1900 Dundas Street West, with Nestle Canada Inc.(the "Landlord"), consisting of an area of approximately 25,680 square feet, at a rental rate of \$8.98 per square foot net per annum, for a five (5) year term commencing on September 1, 2006, and ending on

August 31, 2011, with an option to renew for a further five (5) year term and based substantially on the terms and conditions set out in the attached Appendix "A" and in a form acceptable to the City Solicitor.

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

(October 19, 2007) Report from Chief Corporate Officer and Director of Real Estate, Facilities and Real Estate Division

Committee Recommendations

The Government Management Committee recommends that:

1. Council authorize the proposed lease renewal for the premises at 1900 Dundas Street West, with Nestle Canada Inc.(the "Landlord"), consisting of an area of approximately 25,680 square feet, at a rental rate of \$8.98 per square foot net per annum, for a five (5) Year Term commencing on September 1, 2006 and ending on August 31, 2011, with an option to renew for a further five (5) year term and based substantially on the terms and conditions set out in the attached Appendix "A" and in a form acceptable to the City Solicitor.
2. The Chief Corporate Officer be authorized to administer and manage the lease agreement including the provision of any consents, approvals, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.

Financial Impact

The total expenditure for the five (5) year term of the lease, commencing September 1, 2006, is estimated to be approximately \$2,290,000. plus GST, and will be included in Social Services Budget Submission and accommodated within approved operating budget targets.

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 renew the lease for the premises at 1900 Dundas Street West having an area of approximately 25,680 square feet, for a term of five (5) years commencing September 1, 2006 and ending on August 31, 2011, for Social Services. The proposed lease renewal would be substantially on the terms and conditions outlined in Appendix "A" to this Report.

Background Information

Report - Lease Renewal - 1900 Dundas Street West - Social Services
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7986.pdf>
 Appendix "A" - Major Terms and Conditions
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7987.pdf>
 Appendix "B" - Location Map
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7988.pdf>

GM9.17	NO AMENDMENT			Ward: 18
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License Renewal - 900 Dufferin Street (Dufferin Mall) - Social Services

City Council Decision

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

1. Council authorize the proposed license renewal for the premises at 900 Dufferin Street, with Her Majesty the Queen in Right of Canada, represented by Public Works and Government Services Canada (the "Landlord"), for a two (2) year term commencing on March 1, 2007, and ending on February 28, 2009, for a license fee of \$4,775.50 per month, inclusive of taxes and operating costs (including heat, water, electrical power, air conditioning, garbage disposal and cleaning services), plus G.S.T., 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. The Chief Corporate Officer be authorized to administer and manage the license agreement, including the provision of any consents, approvals, notices and notices of termination, provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.

(October 19, 2007) Report from Chief Corporate Officer and Director of Real Estate, Facilities and Real Estate Division

Committee Recommendations

The Government Management Committee recommends that:

1. Council authorize the proposed license renewal for the premises at 900 Dufferin Street, with Her Majesty the Queen in Right of Canada, represented by Public Works and Government Services Canada (the "Landlord"), for a Two (2) Year Term commencing on March 1, 2007 and ending on February 28, 2009, for a license fee of \$4,775.50 per month, inclusive of taxes and operating costs (including heat, water, electrical power, air conditioning, garbage disposal and cleaning services), plus G.S.T., 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. The Chief Corporate Officer be authorized to administer and manage the license agreement including the provision of any consents, approvals, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.

Financial Impact

The total expenditure for the Two (2) year term of the lease is estimated to be approximately \$114,000.00, including Taxes and Operating costs, plus G.S.T.

Funding is part of the Social Services annualized operating budget under Account #C01214-4530&4525. 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 renew the license agreement for the premises at 900 Dufferin Street (Dufferin Mall), having an area of approximately 1,076 sq.ft., for a term of two (2) years commencing March 1, 2007, for Social Services. The proposed lease renewal would be substantially on the terms and conditions outlined in Appendix “A” to this Report.

Background Information

Report - Lease Renewal - 900 Dufferin Street (Dufferin Mall) - Social Services
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7990.pdf>

Appendix "A"

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7991.pdf>

Appendix "B" (location map)

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7992.pdf>

GM9.19	NO AMENDMENT			Ward: 42
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Purchase of Lands for Morningside Avenue/Finch Avenue East/CPR Grade Separation Project

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

City Council Decision

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

1. City Council adopt the confidential instructions to staff in Attachment 1.
2. City Council authorize the public release of the confidential information in

Attachment 1 pertaining solely to the purchase price and deposit, upon City Council's adoption of the Recommendations in this report.

3. City Council authorize the City to submit an Offer to Purchase the Lands to CPR, substantially on the terms outlined in Appendix "A" and Attachment 1 to this report, and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to execute the Offer on behalf of the City.
4. If during the due diligence period it is determined that the Lands do not meet the Ministry of Environment standard for "industrial use", each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to negotiate and accept an abatement of the purchase price from CPR in an amount sufficient to cover the City's estimated cost of remediating the Lands to the "industrial use" standard.
5. The City Solicitor be authorized to complete the transaction 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.

The following information related to the purchase price and deposit contained in Confidential Attachment 1 to the report (October 19, 2007) from Chief Corporate Officer is now public. The balance of Attachment 1 remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to a proposed or pending acquisition or sale of land for municipal or local board purposes:

Purchase Price: \$1,433,998.76

Deposit: \$143,399.88

(October 19, 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.
2. City Council authorize the public release of the confidential information in Attachment 1 pertaining solely to the purchase price and deposit, upon City Council's adoption of the Recommendations in this report.
3. City Council authorize the City to submit an Offer to Purchase the Lands to CPR, substantially on the terms outlined in Appendix "A" and Attachment 1 to this report, and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to execute the Offer on behalf of the City.

4. If during the due diligence period it is determined that the Lands do not meet the Ministry of Environment standard for “industrial use”, each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to negotiate and accept an abatement of the purchase price from CPR in an amount sufficient to cover the City’s estimated cost of remediating the Lands to the “industrial use” standard.
5. The City Solicitor be authorized to complete the transaction 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.

Financial Impact

The total cost of this acquisition is listed in Attachment 1 and will be funded from the 2008 Approved Capital Budget for Transportation Services, Morningside Avenue/Finch Avenue East/ CPR Grade Separation - Capital Account CTP804-20.

When CPR sells land, they will only environmentally remediate their lands to the “industrial use” standard. If the end use of the lands requires remediation to “parkland use”/“residential use” standards, the additional costs required to remediate the lands to that higher standard are the responsibility of the purchaser. Thus, in this case, the City may be responsible for any additional remediation costs associated with the 4,500 m² being used for road purposes. An estimate of the potential remediation costs the City could face if the Lands do not meet this higher standard, which would require the City to remediate the Lands following closing to bring them up from the “industrial use” standard to the “parkland use”/“residential use” standard, is contained in Attachment 1. If additional environmental remediation of the lands is required it will be funded from the 2008 Approved Capital Budget for Transportation Services, Morningside Avenue/Finch Avenue East/ CPR Grade Separations - Capital Account CTP804-20.

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

Summary

Real Estate Services seeks authority for the City to acquire the lands legally described as Parts of Lots 9, 10, 11 and 12, Concession 3; Part of the Road Allowance between Lots 10 and 11, Concession 3; Part of Lot 12, Concession 4; all in the City of Toronto, Province of Ontario and more particularly shown as:

Part 1 on “Morningside Avenue Plan 1” (Job No. 05-00391), dated 2007-01-04; Parts 1 to 3 on “Morningside Avenue Plan 2” (Job No. 05-00391), dated 2007-01-15; Parts 1 to 3 on “Morningside Avenue Plan 3” (Job No. 05-00391), dated 2007-01-22; Part 1 on “Morningside Avenue Plan 4” (Job No. 05-00391), dated 2007-01-22; Parts 1, 2, 11, 12, 13, 14 on “Finch/Morningside Plan 7” (Job No. 05-00333), dated 2007-05-22; Parts 1 to 8 on “Finch / Morningside Plan 8” (Job No. 05-00333), dated 2007-05-18; (Collectively The “Lands”)

All of the above plans were prepared by City of Toronto, Survey and Mapping and are attached as Appendix “B”.

The lands are required to expand and complete the Morningside Avenue/ Finch Avenue/ CPR Grade Separation Project, including the creation of a new public trail that will eventually be extended along Morningside Avenue down to Sheppard Avenue, providing a dedicated bicycle path for public use.

Negotiations with Canadian Pacific Railway Company (“CPR”), the owner of the lands, have been ongoing since January 2007. As a result of these negotiations, CPR has invited the City to submit an offer to purchase the Lands. Appendix “A” and Attachment 1 to this report describe the salient terms of this proposed acquisition, which are considered fair and reasonable.

Background Information

Report - Purchase of Lands for Morningside Avenue/Finch Avenue East/CPR Grade Separation Project

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7995.pdf>

Appendix "B" - Draft Plans 1, 2, 3, 4, 5, 7 and 8

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7996.pdf>

Confidential Attachment 1

GM9.22	NO AMENDMENT			Ward: 30
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Acquisition of 1439 Danforth Avenue

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

City Council Decision

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

1. City Council authorize the acquisition of 1439 Danforth Avenue, shown on the attached sketch, from Pro-X Properties, at the purchase price of \$1,100,000.00, for a total estimated expenditure of \$1,390,000.00 including the purchase price and up to \$290,000.00 for the associated costs such as land transfer tax, survey, environmental studies, legal and the upgrade costs of a municipal surface parking lot.
2. Upon acquisition, the purchased lands be designated for municipal parking purposes, to be managed by the Toronto Parking Authority (TPA).
3. The appropriate City officials be authorized to take the actions necessary to give effect thereto.

Confidential Attachment 1 to the report (October 25, 2007) from President, Toronto Parking Authority, remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to a proposed or pending acquisition or sale of land for municipal or local board purposes.

(October 25, 2007) Report from the President, Toronto Parking Authority

Committee Recommendations

The Government Management Committee recommends that:

1. City Council authorize the acquisition of 1439 Danforth Avenue, shown on the attached sketch, from Pro-X Properties at the purchase price of \$1,100,000.00, for a total estimated expenditure of \$1,390,000.00 including the purchase price and up to \$290,000.00 for the associated costs such as land transfer tax, survey, environmental studies, legal and the upgrade costs of a municipal surface parking lot.
2. Upon acquisition, the purchased lands be designated for municipal parking purposes, to be managed by the TPA.
3. The appropriate City Officials be authorized to take the actions necessary to give effect thereto.

Financial Impact

Funds in the amount of \$2,000,000 were provided in the 2007 Capital Budget (Captor Number TPA906839). The property purchase will be funded through TPA revenues.

An appraiser has been retained. Although the report has not been completed, preliminary findings have confirmed the market value of the Property to be within the range of TPA's purchase price

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 the City's approval to purchase a property municipally known as 1439 Danforth Avenue, to construct and operate a 19 space surface parking facility to service the short term parking needs in the area, on the terms and conditions outlined in the body of this report.

Background Information

Report - Acquisition of 1439 Danforth Avenue
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8002.pdf>
 Confidential Attachment 1

GM9.23	NO AMENDMENT			Ward: 18
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Acquisition of 9 Bonar Place

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

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

1. City Council authorize the acquisition of 9 Bonar Place, shown on the attached sketch, from The Estate of Art Kovari, at the purchase price of \$1,000,000.00, for a total estimated expenditure of \$1,427,000.00 including the purchase price and up to \$427,000.00 for the associated costs such as land transfer tax, survey, environmental studies, legal and broker's fee, and the upgrade costs of a municipal surface parking lot.
2. Upon acquisition, the purchased lands be designated for municipal parking purposes, to be managed by the Toronto Parking Authority (TPA).
3. The appropriate City officials be authorized to take the actions necessary to give effect thereto.

Confidential Attachment 1 to the report (October 25, 2007) from President, Toronto Parking Authority, remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to a proposed or pending acquisition or sale of land for municipal or local board purposes.

(October 25, 2007) Report from the President, Toronto Parking Authority

Committee Recommendations

The Government Management Committee recommends that:

1. City Council authorize the acquisition of 9 Bonar Place, shown on the attached sketch, from The Estate Of Art Kovari at the purchase price of \$1,000,000.00, for a total estimated expenditure of \$1,427,000.00 including the purchase price and up to \$427,000.00 for the associated costs such as land transfer tax, survey, environmental studies, legal and broker's fee, and the upgrade costs of a municipal surface parking lot.
2. Upon acquisition, the purchased lands be designated for municipal parking purposes, to be managed by the TPA.
3. The appropriate City Officials be authorized to take the actions necessary to give effect thereto.

Financial Impact

Funds in the amount of \$2,000,000 were provided in the 2007 Capital Budget (Captor Number TPA000050). The property purchase will be funded through TPA revenues.

An appraiser has been retained. Although the report has not been completed, preliminary findings have confirmed the market value of the Property to be within the range of TPA's purchase price

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 the City's approval to purchase a property municipally known as 9 Bonar Place, to construct and operate a 34 space surface parking facility to service the short term parking needs in the area, on the terms and conditions outlined in the body of this report.

Background Information

Report - Acquisition of 9 Bonar Place

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8004.pdf>)

Confidential Attachment 1

23a Acquisition of 9 Bonar Place

(November 8, 2007) Letter from Councillor Giambrone

Summary

Supporting the City's move to purchase a property known as 9 Bonar Place, to construct and operate a 34 space surface parking facility to service the short term parking needs in the area, on the terms and conditions outlined in the recommendations.

Background Information

Letter - Acquisition of 9 Bonar Place

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8389.pdf>)

Additional Communication (City Council)

- (November 6, 2007) from Mario Silva, MP, Davenport, submitted by Councillor Cesar Palacio, Ward 17, Davenport (GM9.23.1)

GM9.24	NO AMENDMENT			Ward: All
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Authority to Direct City's Title Conveyance to TEDCO's Purchasers

City Council Decision

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

1. The City, at the direction of TEDCO, transfer the lands between Midland Avenue and Brimley Road, north of St. Clair Avenue East, all as shown in Attachment 1, directly to the purchaser or purchasers with which TEDCO has entered into agreements of purchase and sale, provided that TEDCO has executed the City's required transfer agreement and the purchaser transactions TEDCO has entered into have received prior approval by City Council.
2. If TEDCO seeks to transfer other lands, such as 3575 Danforth Avenue, parts of 1035 Sheppard Avenue, or any other property that City Council has agreed to transfer based on the terms of the City's transfer agreement to TEDCO, directly to the purchaser or purchasers with which TEDCO has entered into agreements of purchase and sale and that have been approved by City Council, then the City, at TEDCO's direction, may convey directly to the purchaser.
3. The City Solicitor be authorized to complete the transactions, including the adjustment of closing and other transaction dates, the completion of necessary registrations and payment of any necessary expenses.
4. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

(October 29, 2007) Report from Chief Corporate Officer

Committee Recommendations

The Government Management Committee recommends to City Council that:

1. The City, at the direction of TEDCO, transfer the lands between Midland Avenue and Brimley Road, north of St. Clair Avenue East, all as shown in Attachment 1, directly to the purchaser or purchasers with which TEDCO has entered into agreements of purchase and sale, provided that TEDCO has executed the City's required transfer agreement and the purchaser transactions TEDCO has entered into have received prior approval by City Council.
2. If TEDCO seeks to transfer other lands, such as 3575 Danforth Avenue, parts of 1035 Sheppard Avenue, or any other property that City Council has agreed to transfer based on the terms of the City's transfer agreement to TEDCO, directly to the purchaser or purchasers with which TEDCO has entered into agreements of purchase and sale and that have been approved by City Council, then the City, at TEDCO's direction, may convey directly to the purchaser.
3. The City Solicitor be authorized to complete the transactions, including the adjustment of closing and other transaction dates, the completion of necessary registrations and payment of any necessary expenses.
4. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

The adoption of the recommendations in this report will have no financial impact on the City, as TEDCO will execute a transfer agreement with the City based on the terms of transfer approved by Council on July 25, 26, and 27, 2006. Implementation of the recommendations in this report will permit TEDCO to realize savings in the payment of Land Transfer Tax.

Summary

This report requests authority to facilitate the completion of transactions of purchase and sale entered into by TEDCO for the property between Midland Avenue and Brimley Road, north of St. Clair Avenue East, (previously authorized by City Council to be transferred by the City to TEDCO) to be transferred directly from the City to the purchasers with which TEDCO has entered into agreements of purchase and sale, provided that TEDCO has received prior approval of these transactions from City Council. Further, this report seeks authority to broaden this permission to include other lands that City Council has agreed to transfer to TEDCO, provided that City Council has approved those transactions by TEDCO.

Background Information

Report - Authority to Direct City's Title Conveyance to TEDCO's Purchasers
(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8006.pdf>)

Attachment 1 - Location of Midland - St. Clair Property
(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8007.pdf>)

GM9.25	NO AMENDMENT			Ward: 5
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Assumption of a Licence for a Portion of the Fieldway Hydro Corridor for Commuter Parking Purposes

City Council Decision

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

1. The Chief Corporate Officer be authorized to execute a partial assignment and amendment agreement with Finer Space (Fieldway) Corporation (Finer Space) and Hydro One Networks Inc. (HONI), (the Assignment), for the purpose of assuming the interest of Finer Space as licensee in a parking lot area within the hydro corridor shown as Part 1 on Sketch PS-2007-215a (Part 1 lands) pursuant to a licence agreement dated March 5, 1998, for the remainder of the term ending December 31, 2007.
2. The Chief Corporate Officer be authorized to execute a new licence with Ontario Realty Corporation (ORC) for the Part 1 lands for the purpose of a commuter parking lot, which licence shall provide for the right of the City to assign this licence as required by the confidential terms of an offer to purchase approved by City Council on April 23 and 24, 2007.

3. The City Solicitor be authorized to attend to the closing of the transaction, including completion of necessary registration, payment of necessary expenses and amendment of any relevant transaction dates.
4. The appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

(October 25, 2007) Report from Chief Corporate Officer

Committee Recommendations

The Government Management Committee recommends to City Council that:

1. The Chief Corporate Officer be authorized to execute a partial assignment and amendment agreement with Finer Space (Fieldway) Corporation (Finer Space) and Hydro One Networks Inc. (HONI), (the Assignment), for the purpose of assuming the interest of Finer Space as licensee in a parking lot area within the hydro corridor shown as Part 1 on Sketch PS-2007-215a (Part 1 lands) pursuant to a licence agreement dated March 5, 1998, for the remainder of the term ending December 31, 2007.
2. The Chief Corporate Officer be authorized to execute a new licence with Ontario Realty Corporation (ORC) for the Part 1 lands for the purpose of a commuter parking lot, which licence shall provide for the right of the City to assign this licence as required by the confidential terms of an offer to purchase approved by City Council on April 23 and 24, 2007.
3. The City Solicitor be authorized to attend to the closing of the transaction, including completion of necessary registration, payment of necessary expenses and amendment of any relevant transaction dates.
4. The appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

Financial Impact

The City proposes that the licence fee from the effective date of the assignment of the licence to the City would be on the general terms on which HONI makes lands available for municipal purposes such as commuter parking lots, approximately \$87,000.00 per year including realty taxes. The current lease requires a monthly expenditure of \$18,400.00 including licence fees and realty taxes. When a staff report on a general policy for transactions in respect to hydro corridor lands has been finalized and adopted by City Council, the licence fee for the Part 1 lands would be adjusted to be consistent with this policy, and the licence fee may be reduced.

Funding for 2007 is available in the 2007 Operating Budget for TTC. Funding requirements for future years will be included in the respective year's TTC Budget Submission and accommodated within approved operating budget targets.

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

Summary

This report seeks authority to execute a partial assignment and amendment agreement with Finer Space (Fieldway) Corporation, as licensee, and Hydro One Networks Inc., as licensor, in respect of a parking lot area in the hydro corridor south of Bloor Street West and west and north of Fieldway Road for future TTC commuter parking use. The term of the current licence will end December 31, 2007. Authority is also sought to enter into a new licence in respect of the same parking area for a twenty year term with Ontario Realty Corporation, the current owner of the hydro corridor. The resolution of this license for parking use and a related easement for access across 2 Fieldway Road are conditions of a confidential offer to purchase with SNC-Lavalin Inc. that City Council has approved.

Background Information

Report - Assumption of a Licence for a Portion of the Fieldway Hydro Corridor for Commuter Parking Purposes

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8032.pdf>

GM9.27	AMENDED			Ward: 6
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Acquisition of 207 New Toronto Street and Long Term Lease of 200 Horner Avenue

Confidential Attachment 1 - Proposed acquisition of land by the City.

City Council Decision

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

1. Council grant authority for the City, as tenant, to enter into a short-term lease agreement with 693316 Ontario Limited (the "Landlord") for the land situated at 207 New Toronto Street for an eleven (11) month term commencing July 1, 2007, and expiring May 31, 2008, subject to early termination provisions and other terms and conditions set out in Appendix "B" attached to the supplementary report (November 14, 2007) from Chief Corporate Officer (GM9.27a), together with such other terms and conditions as may be deemed appropriate by the Chief Corporate Officer, and in a form satisfactory to the City Solicitor.
2. Council grant authority to extend the proposed Long Term Lease with 2052865 Ontario Limited (the "Tenant") for the land situated at 200 Horner Avenue (the "City Lands") from forty (40) years to fifty (50) years substantially on the terms and conditions set out in Appendix "C" to the supplementary report (November 14, 2007) from Chief Corporate Officer (GM9.27a), together with such other terms and conditions as may be deemed appropriate by the Chief Corporate Officer, and in a

form satisfactory to the City Solicitor.

3. Council grant authority to the Chief Corporate Officer to administer and manage the lease agreements, including the provision of any consents, approvals, waivers, notices and notices of termination, provided that the Chief Corporate Officer may, at that time, refer consideration of such matters to City Council for its determination and direction.
4. Council authorize the implementation of the Methane Monitoring Program at 200 Horner Avenue as approved by the Ministry of Environment.
5. Council authorize the public release of the confidential information in Attachment 1 to the supplementary report (November 14, 2007) from Chief Corporate Officer, upon the completion of the land exchange Transaction approved by Council by its adoption of Policy and Finance Report 6, Clause 28, at its meeting held on July 25, 26 and 27, 2006.
6. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

(November 7, 2007) Report from Chief Corporate Officer

Committee Recommendations

The Government Management Committee recommends that Council consider a report from the Chief Corporate Officer on the acquisition of 207 New Toronto Street and on the lease of 200 Horner Avenue.

Decision Advice and Other Information

The Government Management Committee adopted the recommendation of the Chief Corporate Officer and in doing so, authorized him to report directly to Council for its meeting on November 19, 2007.

Financial Impact

Not applicable at this time.

Summary

The purpose of this report is to obtain authority to report directly to Council at its meeting of November 19th and 20th, 2007, on the acquisition of 207 New Toronto Street and on the lease of 200 Horner Avenue.

Background Information

Report - Acquisition of New Toronto Street and Long Term Lease of 200 Horner Avenue
(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8345.pdf>)

Appendix A - Acquisition of New Toronto Street and Long Term Lease of 200 Horner Avenue
(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8346.pdf>)

Additional Background Information (City Council)

- Report (November 14, 2007) from the Chief Corporate Officer ([GM9.27a](#))

Confidential Attachment 1 to the supplementary report (November 14, 2007) from Chief Corporate Officer, remains confidential in its entirety, at this time, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to the proposed acquisition of land by the City. This Attachment will become public upon the completion of the land exchange Transaction approved by Council by its adoption of Policy and Finance Report 6, Clause 28, at its meeting held on July 25, 26 and 27, 2006.

Submitted Thursday, November 8, 2007

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