
Government Management Committee

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

GM10.1	NO AMENDMENT			Ward: All
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Introduction of New User Fee to Pay Fines On-line

City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motions:

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

Statutory - City of Toronto Act, 2006

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

Committee Recommendations

The Government Management Committee recommends that:

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

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

Decision Advice and Other Information

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

Financial Impact

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

Additional Revenue from Proposed User Fees

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

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

Summary

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

Background Information

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

GM10.4	AMENDED			Ward: All
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Extension of City of Toronto Telecommunications Infrastructure

(COTTI) Contracts

City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motions:

1. City Council grant approval, subject to Divisional Operating Budget approval in each year, to extend the City of Toronto Telecommunications Infrastructure (COTTI) voice and data contracts with Bell Canada for an additional two years from January 15, 2009, to January 14, 2011, at a cost not to exceed \$17,010,872.00 net of GST for 2009, and \$18,711,959.00 net of GST for 2010, for a total potential cost of \$35,722,831.00 net of GST.
2. The contract extension be structured to permit at least a 15 percent reduction in the number of current phone lines during a possible Voice over Internet Protocol (VoIP) implementation, without being subject to any adverse change in rates.
3. The Chief Information Officer and the Director of Purchasing and Materials Management Division take every opportunity to accelerate the COTTI RFP.
4. The Chief Information Officer, Information and Technology, be directed to negotiate the most favourable terms and conditions with the vendor regarding the contract extension to ensure maximum flexibility and lowest rates possible and report back to the Government Management Committee for information on the outcome of these negotiations.
5. The extent of Bell Canada's co-operation be reported to the Government Management Committee, prior to issuing the proposal call for the COTTI Request for Proposal.
6. The Telecommunications Strategy take into consideration that the Toronto Transit Commission (TTC) has 24 strands of fibre in all of its subways and over 250 strands in the Sheppard Subway and the City explore a co-operative analysis of possible incorporation into a system that serves both the City and the TTC needs.
7. The Chief Information Officer be requested to report annually to the Government Management Committee, in December, on the transition to VoIP and City of Toronto Telecommunications Infrastructure (COTTI).

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

Committee Recommendations

The Government Management Committee recommends that:

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

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

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

Financial Impact

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

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

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

Summary

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

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

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

Background Information

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

Appendix 1 - GM10-4

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

Appendix 2 - GM10-4

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

GM10.5	NO AMENDMENT			Ward: All
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Updates to the Financial Control, Purchasing and Signing Authority By-Laws

City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motions:

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

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

Committee Recommendations

The Government Management Committee recommends that:

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

Financial Impact

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

Summary

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

Approval of these changes will protect the accountability officers' independence and align the

delegation of authority thresholds.

Background Information

Report - Updates to the Financial Control, Purchasing and Signing Authority By-Laws

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8955.pdf>)

GM10.7	NO AMENDMENT			Ward: 26
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Leasing Up to 800 sq.ft. of Rentable Area of Data Centre Space to Co-Locate Information and Technology Division Computer Hardware at 73 Laird Drive

City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motions:

1. Council authorize the Chief Corporate Officer, in consultation with the Chief Information Officer, to negotiate the terms and conditions of a lease (the "Lease") of the property at 73 Laird Drive and of any necessary or desirable customer facility service agreement (the "Service Level Agreement") with TELUS Communications, or any related entity, (the "Landlord"), consisting of a rentable area of up to 800 sq. ft. approximately, at a gross rental rate of \$50.00 per sq. ft. per month, a maximum five (5) year Term, and based substantially on the terms and conditions as set out attached Appendix "A", subject to such further revisions and other terms and conditions as may be deemed appropriate by the Chief Corporate Officer and the Chief Information Officer in consultation with the City Solicitor.
2. Should the above negotiations be successful, authority be granted for the City to enter into any such Lease and the Service Level Agreement described above, in form approved by the City Solicitor.
3. The Chief Corporate Officer be authorized to administer and manage the Lease including the provision of any consents, approvals, waiver notices and notices of termination, provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.

(November 19, 2007) Report from Chief Corporate Officer

Committee Recommendations

The Government Management Committee recommends that:

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

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

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

Financial Impact

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

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

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

Summary

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

Background Information

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

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

Appendix A - GM10-7

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

Appendix B - GM10-7

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

GM10.9	NO AMENDMENT			Ward: 1, 3, 7, 8, 11, 12, 20, 24, 28, 35, 37, 40, 43
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Child Care Lease Agreements Between City of Toronto and Toronto Community Housing Corporation

City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motions:

1. Council authorize the City, as tenant, to enter into sixteen (16) lease agreements with Toronto Community Housing Corporation, as landlord, for each of the childcare locations listed in Appendix "A", substantially on the terms and conditions set out in Appendix "A", together with such other terms and conditions deemed appropriate by the Chief Corporate Officer and in form satisfactory to the City Solicitor.
2. Council grant authority for the Chief Corporate Officer to administer and manage the lease agreements, including the provision of any consents, approvals, notices and notices of termination, provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.

(November 19, 2007) Report from Chief Corporate Officer

Committee Recommendations

The Government Management Committee recommends that:

1. Council authorize the City, as tenant, to enter into sixteen (16) lease agreements with Toronto Community Housing Corporation, as landlord, for each of the childcare locations listed in Appendix "A", substantially on the terms and conditions set out in Appendix "A", together with such other terms and conditions deemed appropriate by the Chief Corporate Officer and in form satisfactory to the City Solicitor.
2. Council grant authority for the Chief Corporate Officer to administer and manage the lease agreements including the provision of any consents, approvals, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.

Financial Impact

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

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

Summary

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

Background Information

Report - Child Care Lease Agreements Between City of Toronto and Toronto Community Housing Corporation
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-8964.pdf>

Declared Interest (City Council)

Councillor Moscoe - in that his daughter is a part-time child care worker employed by the City of Toronto.

GM10.10	NO AMENDMENT			Ward: 5
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Memorandum of Understanding for Kipling Improvements to Implement the Kipling / Islington Redevelopment Initiative

City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motions:

1. The Chief Corporate Officer be authorized to execute an MOU regarding the Kipling Improvements substantially on the terms set out in Attachment 1 and on such other or amended terms as are acceptable terms to the Chief Corporate Officer.
2. The City take appropriate steps under the Municipal Class Environmental Assessment to stop up and close the eastern portion of Subway Crescent to facilitate the Kipling Improvements project.
3. Notice be given to the public of a proposed by-law to permanently close the eastern portion of Subway Crescent, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code, and the Etobicoke York Community Council hear any member of the public who wishes to speak to this matter.

4. Following the closure of the eastern portion of Subway Crescent, easements be granted to any affected utility companies for any existing utilities plant located in the road allowance or with the consent of the said utility companies, the utilities plant be relocated, adjusted or abandoned, at the sole cost of the purchaser of Subway Crescent, with such costs to be determined by the appropriate utility companies.
5. The eastern portion of Subway Crescent property shown as Part 1 on Sketch PS-2007-281, (the Sketch) together with the lands to the south required for the Kipling inter-regional bus terminal, shown as Part 2 on the Sketch, be declared surplus, subject to required easements acceptable to the Chief Corporate Officer, for the purpose of transfer to GO Transit at fair market value.
6. The City provide access and construction rights to GO to undertake the Kipling Improvements on lands owned by the City and/or leased by the City on terms satisfactory to the Chief Corporate Officer.
7. The appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

(November 19, 2007) Report from Chief Corporate Officer

Committee Recommendations

The Government Management Committee recommends that:

1. The Chief Corporate Officer be authorized to execute an MOU regarding the Kipling Improvements substantially on the terms set out in Attachment 1 and on such other or amended terms as are acceptable terms to the Chief Corporate Officer.
2. The City take appropriate steps under the Municipal Class Environmental Assessment to stop up and close the eastern portion of Subway Crescent to facilitate the Kipling Improvements project.
3. Notice be given to the public of a proposed by-law to permanently close the eastern portion of Subway Crescent, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code and the Etobicoke York Community Council hear any member of the public who wishes to speak to this matter.
4. Following the closure of the eastern portion of Subway Crescent, easements be granted to any affected utility companies for any existing utilities plant located in the road allowance or with the consent of the said utility companies, the utilities plant be relocated, adjusted or abandoned, at the sole cost of the purchaser of Subway Crescent, with such costs to be determined by the appropriate utility companies.
5. The eastern portion of Subway Crescent property shown as Part 1 on Sketch PS-2007-281, (the Sketch) together with the lands to the south required for the Kipling inter-

regional bus terminal, shown as Part 2 on the Sketch, be declared surplus, subject to required easements acceptable to the Chief Corporate Officer, for the purpose of transfer to GO Transit at fair market value.

6. The City provide access and construction rights to GO to undertake the Kipling Improvements on lands owned by the City and/or leased by the City on terms satisfactory to the Chief Corporate Officer.
7. The appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

Decision Advice and Other Information

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

Financial Impact

The Province has committed to capital funding in the order of \$30,000,000 for the Kipling portion of the K/I Initiative. Mississauga Transit has committed to \$5,500,000 in capital funding to the project. GO will manage these funds in the design and construction of the Kipling Improvements and will be responsible for any budget overruns. Consequently, the Kipling Improvements should have no financial implications for the City. These budget estimates are based on design work that had advanced to the 10% stage; as design work continues these estimates may be revised. It is intended that the TTC will be reimbursed for its costs up to and including the achievement of the 60% design milestone for the Kipling Improvements.

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

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

Summary

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

As required by the MOU, this report also seeks authority to take the required steps under the

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

Background Information

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

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

Attachment 2 - GM10-10

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

10a Kipling Station Redevelopment Handover to GO Transit

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

Decision Advice and Other Information

Advising that the Commission, on November 14, 2007, approved the following recommendations:

1. Authorize TTC staff to finalize the handover of the design and construction responsibilities for the Terminal, the Re-aligned Facilities and the Parking Lots at Kipling Station to GO Transit as of November 15, 2007 to the satisfaction of the Chief General Manager, in accordance with the principles set out herein.
2. Rescind its jurisdictional interest in the portion of the City's owned land located within Terminal lands, as shown on Attachment 1.
3. Authorize TTC staff to execute a Memorandum of Understanding (MOU) with GO Transit, City of Toronto and Mississauga Transit regarding the roles and responsibilities of the various parties relating to the design, construction and funding of the Kipling Station Redevelopment on terms and conditions agreeable to the Chief General Manager.
4. Forward this report to the City of Toronto for concurrence with this course of action.

Summary

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

Background Information

Letter - Kipling Station Redevelopment Handover to GO Transit

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

Attachments 1, 2 & 3 - GM10-10a

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

GM10.12	NO AMENDMENT			Ward: 27
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Limiting Distance Agreement – Rear of 195 Avenue Road (Ramsden Park)

City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motion:

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

(November 14, 2007) Report from Chief Corporate Officer

Committee Recommendations

The Government Management Committee recommends that:

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

Financial Impact

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

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

Summary

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

Background Information

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

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

Appendix A - GM10-12

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

GM10.13	NO AMENDMENT			Ward: 6
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Proposed Settlement – Red Carpet Inns Limited – Motel Strip Expropriations Proceedings

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

City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motions:

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

Confidential Attachment 1 to the report (November 19, 2007) from the City Solicitor and the Deputy City Manager and Chief Financial Officer, remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to litigation or potential litigation and that is subject to solicitor-client privilege.

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

Committee Recommendations

The Government Management Committee recommends that:

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

Summary

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

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

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

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

Background Information

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

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

Confidential Attachment 1 - GM10-13

GM10.14	NO AMENDMENT			Ward: 17
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A Resolution of Legal Claims and Disposition of Surplus Land - 11R Hounslow Heath Road

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

City Council Decision

City Council on December 11, 12 and 13, 2007, adopted the following motions:

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

Confidential Attachment 1 to the report (November 19, 2007) from the City Solicitor and the 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 that is related to

litigation or potential litigation and that is subject to solicitor-client privilege. Confidential Attachment 1 will be made public if any settlement is finalized to the satisfaction of the City Solicitor.

(November 19, 2007) Report from City Solicitor, and 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, as approving authority, the approval of the disposal of the expropriated lands to parties, other than those from whom the land was expropriated, without first giving those expropriated owners the right they would otherwise have of first chance to repurchase the lands set out in Section 42 of the *Expropriations Act*.
3. City Council authorize the public release of the confidential information and recommendation in Attachment 1, if any settlement is finalized to the satisfaction of the City Solicitor.
4. That authority be granted to the appropriate City Officials to take the necessary action to give effect thereto.

Decision Advice and Other Information

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

Summary

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

Background Information

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

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

Confidential Attachment 1 - GM10-14

Government Management Committee Report - Meeting No. 10
Considered by City Council on December 11, 12 and 13, 2007

Submitted Monday, December 3, 2007

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