

Government Management Committee

Meeting No. 15
Meeting Date Friday, June 13, 2008
Start Time 9:30 AM
Location Committee Room 1, City Hall

Contact Yvonne Davies, Committee Administrator
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The Decision Document is for preliminary reference purposes only. Please refer to the Committee's Report to City Council or to the Minutes for the official record.

How to Read the Decision Document:

- *Recommendations of the Committee to City Council appear after the item heading*
- *Any amendments by Committee to recommendations appearing in a staff report are italicized.*
- *Other action taken by the Committee on its own authority, which does not require Council's approval, is listed in the decision document under the heading "Decision Advice and Other Information".*
- *Declarations of Interest, if any, appear at the end of an item.*

Minutes of the May 15, 2008 meeting - Confirmed

Communications/Reports

GM15.1	Information	Received		Ward: All
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Proposed Criteria for the Installation and Use of Storage Sheds Within City of Toronto Stadiums

(May 26, 2008) Report from General Manager, Parks, Forestry and Recreation

Decision Advice and Other Information

The Government Management Committee received this report for information.

Financial Impact

There will be no financial implications resulting from the receipt of this report.

Summary

The purpose of this report is to report back to the Government Management Committee, as requested at its meeting of April 17, 2008, on criteria for the installation and use of storage sheds within City of Toronto stadiums.

Background Information

Report - Proposed Criteria for the Installation and Use of Storage Sheds Within City of Toronto Stadiums

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13534.pdf>)

GM15.2	ACTION	Adopted		Ward: 10
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Government Management Committee Item GM13.13 - Sub-Lease Agreement between City of Toronto and North York Hearts Soccer Club Inc. for the Exclusive Use of a Storage Shed at Esther Shiner Stadium

(May 2, 2008) Letter from City Clerk

Committee Recommendations

The Government Management Committee recommends that:

1. Authority be granted to negotiate and enter into a Sub-Lease Agreement for a term of twenty (20) years with the North York Hearts Soccer Club Inc. at a nominal Sub-Lease Fee of One Dollar (\$1.00) per annum for the duration of the term, for the construction and installation of a 25 x 40 square foot pre-engineered metal storage shed secured on a concrete foundation located on the north-west side of Esther Shiner Stadium (the Stadium), municipally known as 5720 Bathurst Street and owned by the Toronto District School Board, and which will be reserved for exclusive use by the North York Hearts Soccer Club Inc. for the sole purpose of storing soccer equipment, uniforms, and other soccer materials, and in accordance with terms and conditions set out in Appendix “A” to this report and such other terms and conditions as are acceptable to the General Manager of Parks, Forestry and Recreation, and all in a form and content satisfactory to the City Solicitor.

Financial Impact

There will be no financial implications resulting from the adoption of this report.

Summary

The purpose of this report is to request Council authority to negotiate and enter into a twenty (20) year Sub-Lease Agreement for the installation and exclusive use by the North York Hearts Soccer Club Inc. (the Club) of a 25 x 40 square foot pre-engineered metal storage shed at the north-west corner of Esther Shiner Stadium.

Background Information

Letter - Government Management Committee Item 13.13 - Sub-Lease Agreement between City of Toronto and North York Heart Soccer Club Inc. for the Exclusive Use of a Storage Shed at Esther Shiner Stadium (Ward 10)

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13535.pdf>)

GM15.3	Information	Received		Ward: All
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Potential Savings from 3-1-1 Technology Sub-Project Contract

(May 29, 2008) Report from Sue Corke, Deputy City Manager and Joseph P. Pennachetti, Deputy City Manager and Chief Financial Officer

Decision Advice and Other Information

The Government Management Committee received this report for information.

Financial Impact

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

Summary

This report is for the information of Council as directed at its meeting of September 26 and 27, 2007 when considering the Government Management Committee report titled "3-1-1 Technology Solution Request for Proposal No. 3412-07-3010: Best and Final Offer Results" and the Confidential Attachment 1 to the report (Item GM7.12). Contract cost reduction was achieved as part of the contract negotiations and the vendor also commits to find additional cost reductions, where appropriate, during implementation. The total cost savings achieved will be reported as part of the 3-1-1 Project post-implementation report.

Background Information

Report - Potential Savings from 3-1-1 Technology Sub-Project Contract
<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13536.pdf>

GM15.4	Information	Received		Ward: All
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2007 Consulting Services Expenditure – City Divisions and Major Agencies, Boards and Commissions

(May 16, 2008) Report from Treasurer

Decision Advice and Other Information

The Government Management Committee received this report for information.

Financial Impact

There are no financial implications arising from this report.

Summary

The report is to inform the Committee on the consulting services expenditure of City Divisions and major Agencies, Boards and Commissions (ABCs) for the year ended December 31, 2007. It contains a summary and details, by category and vendor, of the Operating and Capital consulting services expenditure for 2007, with 2006 comparative.

Background Information

Report - 2007 Consulting Services Expenditure - City Divisions and Major Agencies, Boards and Commissions

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13537.pdf>)

Appendix A: Consulting Expenses - Operating

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13538.pdf>)

Appendix B: Consulting Expenses - Capital

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13539.pdf>)

GM15.5	ACTION	Adopted		Ward: All
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Metropolitan Toronto Police Benefit Fund – Actuarial Report as at December 31, 2007

(May 16, 2008) Report from Treasurer

Decision Advice and Other Information

The Government Management Committee recommends to the Executive Committee that:

1. The “Report on the Actuarial Valuation for Funding Purposes as at December 31, 2007” prepared by Mercer Human Resource Consulting with respect to the Metropolitan Toronto Police Benefit Fund, be received.
2. The existing authorization for the City to make special annual payments of \$4,887,600 in year 2008, \$4,196,400 in 2009, \$1,707,600 in 2010 and \$842,400 in 2011 to eliminate the fund’s solvency deficiency as at December 31, 2006 be modified by reducing the payments to \$2,416,200 in 2008 and \$772,200 in 2009.
3. The City allocate the remaining credit balance of \$4,923,000 as a result of excess special payments made in 2005 and 2006 to be a contribution credit to be applied to reduce the 2008 payment to \$2,416,200.
4. The appropriate City officials be authorized to take the necessary action to give effect to the foregoing recommendations.

Financial Impact

As a result of the 2006 Actuarial Valuation, the City was required to make special payments of \$7,339,200 in each of 2007 and 2008 with payments reducing to \$842,200 in 2011 with respect to the existing solvency deficiency in the Metropolitan Toronto Police Benefit Fund as required

under the *Ontario Pension & Benefits Act*. In the 2007 Valuation, the going-concern deficiency was eliminated and the solvency deficiency reduced. In addition, a credit of \$4,923,000 is to be applied to the payment for the year 2008, resulting in special payments in the amount of \$2,416,200 for 2008 and \$772,200 in 2009.

The special payments in the amount of \$2,416,200 for 2008 has been provided for in the 2008 Non-Program Expenditure Budget.

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

Summary

This report will present the Actuarial Valuation as at December 31, 2007 for the Metropolitan Toronto Police Benefit Fund along with a recommendation regarding the continuation of special payments to the Fund with respect to the solvency deficiency.

The 2007 valuation results of the Fund highlight the financial position and the results of its operations for the year ended December 31, 2007 and the Valuation Report appropriately does not recommend any cost-of-living increase for pensioners for 2008.

Background Information

Report - Metropolitan Toronto Police Benefit Fund - Actuarial Report as at December 31, 2007 (<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13540.pdf>)

Attachment - Actuarial Report for the Metropolitan Toronto Police Benefit Fund at December 31, 2007

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13541.pdf>)

5a Metropolitan Toronto Police Benefit Fund Report on the Actuarial Valuation for Funding Purposes as at December 31, 2007 (April 2008)

(April 25, 2008) Letter from The Board of Trustees of the Metropolitan Toronto Police Benefit Fund

Summary

The Board of Trustees of the Metropolitan Toronto Police Benefit Fund on April 24, 2008, considered a report (April 11, 2008) from Anil Narale, Principal, Mercer, forwarding the Metropolitan Toronto Police Benefit Fund Report on the Actuarial Valuation for Funding Purposes as at December 31, 2007 (April 2008).

Background Information

Letter - Metropolitan Toronto Police Benefit Fund Report on the Actuarial Valuation for Funding Purposes as at December 31, 2007 (April 2008)

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13542.pdf>)

GM15.6	ACTION	Adopted		Ward: All
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Metropolitan Toronto Pension Plan – Actuarial Report as at December 31, 2007

(May 14, 2008) Report from Treasurer

Committee Recommendations

The Government Management Committee recommends that:

1. The 2007 Actuarial Report for the Metropolitan Toronto Pension Plan be received.
2. An increase of 2.14% be granted on pensions, effective January 1, 2008 to pensioners on benefit for more than one year and a proportionate increase of 0.178% for each month of pension payment made in 2007 be granted for pensioners who retired during 2007.
3. By-Law No. 15-92 of the former Metropolitan Corporation governing the Metropolitan Toronto Pension Plan as amended to date be further amended accordingly and authority be granted to introduce the necessary bill in Council.
4. The appropriate City officials be authorized to take the necessary action to give effect to the foregoing recommendations.

Financial Impact

The estimated cost of the increase on a solvency basis is \$12.1 million and is payable from the Plan's Indexation Reserve Account without any contribution by the City. The balance of the indexation reserve account as at December 31, 2007 is \$100.1 million.

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

Summary

This report will present the 2007 Actuarial Valuation for the Metropolitan Toronto Pension Plan along with a recommendation regarding an increase in payments to pensioners as of January 1, 2008.

The 2007 Actuarial Valuation results of the Metropolitan Toronto Pension Plan highlight the continued strong financial position of the Plan. The actuary has recommended that an increase of 2.14% be granted on pensions effective January 1, 2008. The cost of this increase is approximately \$12.1 million on a solvency basis and is to be funded from the Plan's Indexation Reserve Account which has a current balance of \$100.1 million.

Background Information

Report - Metropolitan Toronto Pension Plan - Actuarial Report as at December 31, 2007

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13544.pdf>)

Attachment - 2007 Actuarial Report for the Metropolitan Toronto Pension Plan as at December 31, 2007

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13550.pdf>)

6a Metropolitan Toronto Pension Plan Report on the Actuarial Valuation for Funding Purposes as at December 31, 2007

(April 25, 2008) Letter from Board of Trustees of the Metropolitan Toronto Pension Plan

Summary

The Board of Trustees of the Metropolitan Toronto Pension Plan on April 24, 2008, considered a communication (April 11, 2008) from Anil Narale, Principal, Mercer, forwarding the Actuarial Valuation Report for the Metropolitan Toronto Pension Plan prepared as at December 31, 2007 (April 2008).

Background Information

Letter - Metropolitan Toronto Pension Plan Report on the Actuarial Valuation for Funding Purposes as at December 31, 2007

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13545.pdf>)

GM15.7	Information	Received		Ward: All
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Toronto Civic Employees' Pension and Benefit Fund - Actuarial Report as at December 31, 2007

(May 14, 2008) Report from Treasurer

Decision Advice and Other Information

The Government Management Committee received this report for information.

Financial Impact

As of January 1, 2008, the pension plan had an actuarial going-concern surplus of \$164.4 million and a solvency surplus of \$144.5 million. These surplus assets will be used to fund the 2007 cost-of-living increase of 2.16% at an estimated cost of \$5.98 million on a going-concern basis and \$6.96 million on a solvency basis without any contribution by the City.

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

Summary

This report will present the 2007 Actuarial Valuation for the Toronto Civic Employees' Pension and Benefit Fund along with information regarding the increase in benefits for pensioners payable as of January 1, 2008 under the cost-of-living provisions of the Fund's governing bylaw and staff comments.

The 2007 Actuarial Valuation results of the Toronto Civic Employees' Pension and Benefit Fund highlight the continued strong financial position of the plan. The Fund's Excess Interest Indexing Provision provides for an increase in pensions by the full 2.16 percent increase in the Consumer Price Index effective January 1, 2008. This staff report along with the 2007 Actuarial Valuation is therefore being submitted for information.

Background Information

Report - Toronto Civic Employees' Pension & Benefit Fund - Actuarial Report as at December 31, 2007

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13546.pdf>

Attachment - 2007 Actuarial Report for the Toronto Civic Employees' Pension & Benefit Fund

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13551.pdf>

7a The Toronto Civic Employees' Pension and Benefit Fund Committee – 2008 Consumer Price Index Increase

(May 29, 2008) Letter from The Toronto Civic Employees' Pension and Benefit Fund Committee

Summary

The Toronto Civic Employees' Pension and Benefit Fund Committee at its meeting on April 22, 2008 had before it a report (April, 2008) headed "Actuarial Valuation Report on the Toronto Employees' Pension and Benefit Fund as of December 31, 2007", prepared by Ms. Cynthia L. Rynne, Buck Consultants Limited, who joined the meeting and gave a presentation on its contents.

Background Information

Letter - The Toronto Civic Employees' Pension and Benefit Fund Committee - 2008 Consumer Price Index Increase

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13547.pdf>

GM15.8	Information	Received		Ward: All
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Toronto Fire Department Superannuation and Benefit Fund - Actuarial Report as at December 31, 2007

(May 14, 2008) Report from Treasurer

Decision Advice and Other Information

The Government Management Committee received this report for information.

Financial Impact

As of January 1, 2008 the pension plan had an actuarial going-concern surplus of \$61.4 million and a solvency surplus of \$26.5 million. These surplus assets will be used to fund the 2007 cost-of-living increase of 2.16% at an estimated cost of \$5.65 million on a going concern basis and \$6.7 million on a solvency basis, without any contribution by the City.

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

Summary

This report will present the 2007 Actuarial Valuation Report on the Toronto Fire Department Superannuation and Benefit Fund along with information regarding the increase in benefits for pensioners payable as of January 1, 2008 under the cost-of-living provisions of the Fund's governing bylaw and staff comments.

The 2007 Actuarial Valuation results of the Toronto Fire Department Superannuation and Benefit Fund highlight the continued strong financial position of the Fund. The Fund's Excess Interest Indexing Provision provides for an increase in pensions by the full 2.16 percent increase in the Consumer Price Index effective January 1, 2008. This staff report along with the 2007 Actuarial Valuation is therefore being submitted for information.

Background Information

Report - Toronto Fire Department Superannuation and Benefit Fund - Actuarial Report as at December 31, 2007

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13548.pdf>

2007 Actuarial Report for the Toronto Fire Department Superannuation & Benefit Fund as at December 31, 2007

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13552.pdf>

8a The Toronto Fire Department Superannuation and Benefit Fund Committee – 2008 Consumer Price Index Increase

(May 29, 2008) Letter from The Toronto Fire Department Superannuation and Benefit Fund Committee

Summary

The Toronto Fire Department Superannuation and Benefit Fund Committee at its meeting on April 21, 2008 had before it a report (April, 2008) headed “Actuarial Valuation Report on the Toronto Fire Department Superannuation and Benefit Fund as of December 31, 2007”, prepared by Ms. Cynthia L. Rynne, Buck Consultants Limited, who joined the meeting and gave a presentation to on its contents.

Background Information

Letter - The Toronto Fire Department Superannuation and Benefit Fund Committee - 2008 Consumer Price Index Increase

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13549.pdf>)

GM15.9	ACTION	Adopted		Ward: 2
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23 Brydon Drive - Tax Sale Extension Agreement

(May 29, 2008) Report from Treasurer

Committee Recommendations

The Government Management Committee recommends that:

1. Authority be granted to enter into an extension agreement with Madresa Ashraful Uloom, the owner of the land municipally known as 23 Brydon Drive, to extend the redemption date for payment of tax arrears owing on the Property from July 31, 2008 to July 31, 2009.
2. Authority be granted for the introduction of the necessary Bill to authorize the execution of the extension agreement.

Financial Impact

Currently, there are no financial impacts arising from the adoption of the recommendations contained in this report.

However, penalty and interest will continue to accrue on the tax account until the full cancellation price is paid. If the cancellation price is not paid by the recommended extended redemption date of July 31, 2009, the Treasurer will proceed to a sale of the property through a public tender, with the minimum tender amount being equal to all outstanding taxes,

penalty/interest, and costs. If the tax sale is unsuccessful, the City will have two years to determine if it wants to take ownership of the property.

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

Summary

The City of Toronto registered a Tax Arrears Certificate against the title of the property municipally known as 23 Brydon Drive on August 1, 2007. Pursuant to the provisions of the City of Toronto Act, 2006, (the “Act”), the property owner or any interested party has until July 31, 2008 to pay the cancellation price in full (which includes all of the outstanding taxes, accrued penalties and interest, and costs). The property owner has requested, and staff are recommending, a one-year extension to pay the cancellation price from July 31, 2008 to July 31, 2009.

Background Information

Report - 23 Brydon Drive - Tax Sale Extension Agreement

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13516.pdf>)

Attachment 1: Bill Pr5 "An Act respecting Madresa Ashraful Uloom", Report to the House on April 30, 2008, awaiting 2nd and 3rd reading and Royal Assent

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13553.pdf>)

GM15.10	ACTION	Adopted		Ward: All
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Approval to Initiate and Participate in Assessment Appeals

(May 28, 2008) Report from Treasurer

Committee Recommendations

The Government Management recommends that:

1. The assessment appeals initiated by the Director of Revenue Services, as identified in Appendix A of this report, be authorized by Council.
2. City participation in the assessment appeals initiated by the taxpayer, as identified in Appendix B to this report, be authorized by Council and actions taken to-date by Revenue and Legal Services staff in respect to these appeals be approved.
3. Authority be delegated to the Director of Revenue Services, in consultation with the City Solicitor, to take all steps appropriate to deal with the appeals identified in this report including authority to withdraw appeals filed by the City or end its participation or execute Minutes of Settlement or other settlement documentation.

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

Financial Impact

The fees paid to the Minister of Finance for filing appeals with the ARB, as listed in Appendix A of this report, are estimated to be \$7,875 (\$150.00 for each non-residential assessment appeal application, and \$75.00 for each residential appeal).

There are no fees required for those properties appealed by the property owner and where the City will become a full participant. However, costs could be incurred in disputing these assessments to retain specialized professional services (such as appraisers, planners, economists) to provide expert opinion/evidence at the ARB as required. Funds to cover the cost of retaining such professional services are included in the 2008 Approved Operating Budget, Non-Program account entitled “Assessment Function”.

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

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

Summary

This report identifies those properties where, as a result of staff review and analysis, the Director of Revenue Services has launched assessment appeals at the Assessment Review Board (ARB) and is now seeking authorization to proceed with those appeals. The appeals are intended to correct assessment values that have been incorrectly classified, under-valued, or wrongly returned on the 2007 supplementary and omitted assessment rolls and the 2008 assessment roll. In addition, staff are requesting authorization to actively participate in property owner / taxpayer initiated appeals in order to protect the City’s assessment base.

If the recommendations put forward in this report are adopted, Revenue Services and the City Solicitor’s office will proceed to prepare the City’s position on a case-by-case basis.

Background Information

Report - Approval to Initiate and Participate in Assessment Appeals

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13518.pdf>)

Appendix A - Appeals Initiated by the Treasurer

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13519.pdf>)

Appendix B - Appeals Initiated by Taxpayers in which the City will Fully Participate

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13520.pdf>)

GM15.11	ACTION	Adopted		Ward: All
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Cancellation, Reduction or Refund of Property Taxes – June 2008 Hearing

Statutory - City of Toronto Act, 2006

(May 16, 2008) Report from Treasurer

Committee Recommendations

The Government Management Committee recommends that:

1. The individual tax appeal applications made pursuant to section 323 of the City of Toronto Act, 2006 resulting in tax reductions totalling \$383,520.63, 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 \$32,324.12 including reductions in Business Improvements Area charges and excluding phase-in/capping adjustments, as identified in Appendix B, be approved.

Decision Advice and Other Information

The Government Management Committee held a statutory hearing on Friday, June 13, 2008, 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: Tax Appeals Summary

Appendix	No. of Applications	Recommended Tax Reduction Total	City Share	Education Share	BIA
A	74	\$383,520.63	\$249,342.65	\$133,888.62	\$289.36
B	5	\$32,324.12	\$18,102.75	\$14,000.60	\$220.77
Total	79	\$415,844.75	\$267,445.40	\$147,889.22	\$510.13

The City's share of \$267,445.40 will be funded from the 2008 Tax Deficiency Account (Non-Program Budget). The education share of \$147,889.22 will be recovered from the province/school boards, and the Business Improvement Area (BIA) reductions of \$510.13 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 tax appeal applications made to the Treasurer pursuant to sections 323 and 325 of the City of Toronto Act, 2006 (COTA). Section 323 permits Council to cancel, reduce or refund taxes in cases when, during the year, a property undergoes changes such as when it is destroyed by fire or demolished, becomes exempt from taxation, or is reclassified due to a change in its use. 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 - June 2008 Hearing
(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13521.pdf>)

Appendix A: Council Detail Hearing Report - Section 323 of COTA, Hearing 2008H3
(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13522.pdf>)

Appendix B: Council Detail Hearing Report - Section 325 of COTA, Hearing 2008H3
(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13523.pdf>)

GM15.12	ACTION	Amended		
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Third Party Development Opportunity for a Portion of the Westwood Lands

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

(May 29, 2008) Report from Chief Corporate Officer

Committee Recommendations

The Government Management Committee recommends that:

1. City Council authorize an MOU with the Ontario Realty Corporation (ORC) regarding the sale of a portion of the Westwood property generally on the terms set out in the confidential attachment *on the basis that the City and ORC can agree on the exact size of the parcel to be sold and on such other terms as are acceptable to the Chief Corporate Officer.*

2. City Council authorize the public release of the confidential information and recommendations in Attachment 1, if a transaction with ORC is closed.
3. Staff be directed to negotiate an agreement of purchase and sale in respect of the subject lands with ORC on the basis set out in the MOU and report on the proposed terms of the transaction to Government Management Committee and City Council for approval.
4. City Council exempt the lands south of the planned extension of Dundas Street through the Westwood property, as shown on Attachment 2, from the Housing First Policy.
5. City Council authorize the Director of Real Estate Services to sign and consent on behalf of the City to applications for planning approvals by ORC, as required, for the development of a portion of the City's Westwood lands, including applications for minor variance, for the removal of Holding category in the zoning of the property, for site plan approval and /or building permits.
6. Staff report back on cost estimates to undertake the development of the Westwood property in accordance with the MOU and on the terms of the required development/servicing agreement and potential financial implications to the City.

Financial Impact

Consulting work has to be undertaken to prepare a functional servicing plan, grading plan, public realm and urban design guidelines for the Westwood property and undertake detailed design work to be able to set out the scope and cost of required services in a development agreement.

Council's adoption of the staff recommendations and the entering into the MOU as set out in the confidential attachment will obligate the City to repay ORC its proportionate share of the costs of consulting studies regarding the required services for the development of the Westwood property from future sale proceeds from these lands, whether or not the transaction with ORC is completed. If the MOU is terminated, the City is to enter into a repayment agreement with ORC and will repay a proportionate share of the consulting costs. The cost estimates for these consulting studies have not been finalized at this time. When an offer to purchase is negotiated with ORC, then the financial implications of the transaction will be reported on to Government Management Committee and Council.

The City's 5 Year Capital Plan does not include any funds to undertake the development of the Westwood property. ORC has indicated that it is willing to undertake the required background studies and front-end the development of the road and services required for the site's development. Once available, estimated costs will be reported back to the Government Management Committee and Council.

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

Summary

On December 11, 12 and 13, 2007, City Council adopted the recommendations in Item PG11.3 of the Planning and Growth Management Committee regarding the vision of the West District Design Initiative for three properties, including the Westwood lands. A confidential attachment to the report indicated that a party had expressed an interest in purchasing a portion of the Westwood property and requested that their identity and intentions be kept confidential.

Negotiations of a Memorandum of Understanding (MOU) regarding the possible purchase and development of a portion of the Westwood lands have continued and a signed MOU has been delivered. Staff is prepared to recommend to City Council the MOU for approval on the terms set out in the confidential attachment.

Background Information

Report - Third Party Development Opportunity for a Portion of the Westwood Lands

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13524.pdf>)

Confidential Attachment 1- Third Party Development Opportunity for a Portion of the Westwood Lands

Attachment 2 - Westwood Development Concept Map

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13555.pdf>)

GM15.13	ACTION	Adopted		
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Expropriation of Temporary Easements Over Portions of 4600 Dufferin Street - York University Busway Project

(May 29, 2008) Report from Chief Corporate Officer

Committee Recommendations

The Government Management Committee recommends that:

1. City Council, as approving authority under the Expropriations Act, approve the expropriation of interests in the “Property”, legally described as part of PIN 10179-0107 (LT) in the City of Toronto, said interests being temporary easement rights for a period of fifteen months from the date of registration of the Expropriation Plan under the Expropriations Act, in those portions of the “Property” designated as Parts 1 and 2 on the attached draft Expropriation Plan, for the purpose of opening and constructing a new driveway (Part 1) for ingress to and egress from the “Property” and closing and removing the existing driveway (Part 2).
2. City Council as expropriating authority under the Expropriations Act, authorize all necessary steps to proceed with the said expropriation in compliance with all steps under the Expropriations Act, including but not limited to, the preparation and registration of an Expropriation Plan and the service of Notices of Expropriation, Notices of Election as to a Date for Compensation and Notices of Possession.
3. The Director of Real Estate Services or the Executive Director of Facilities and Real

Estate be authorized to sign the Notices of Expropriation and Notices of Possession on behalf of the City.

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

Financial Impact

The expropriation of temporary interests in the “Property” for the purposes of the Bus Rapid Transit – Spadina Subway to York University Project was approved by City Council in 2006. Funding for this expropriation is available in the TTC 2008-2012 Capital Budget, Account CTT015.

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

Summary

This report seeks approval for the expropriation of temporary easements over portions of 4600 Dufferin Street, formerly part of 4590 Dufferin Street, hereafter the “Property”, for the purposes of removing an existing driveway and constructing a new driveway in a more southerly location to allow for greater separation between the Property’s driveway and the York University Busway (the “Busway”) that is under construction on the adjoining Hydro One Networks Inc. (“Hydro One”) corridor.

Background Information

Report - Expropriation of Temporary Easements Over Portions of 4600 Dufferin Street - York University Busway Project

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13526.pdf>

Site Maps - Expropriation of Temporary Easements Over Portions of 4600 Dufferin Street - York University Busway Project

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13527.pdf>

GM15.14	ACTION	Adopted		Ward: All
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Facilities and Real Estate - 2008 Capital Budget Reallocations

(May 29, 2008) Report from Chief Corporate Officer

Decision Advice and Other Information

The Government Management Committee recommends to the Executive Committee that:

1. City Council authorize the reallocation of funds in the 2008 Approved Facilities and Real Estate Capital Budget in the amount of \$1.008 million, as illustrated in schedule “A” (Part 1) attached, with a zero gross and net impact.

2. City Council authorize reallocation of funds in the 2008 Approved Facilities and Real Estate Capital Budget in the amount of \$0.177 million to the two previously approved projects, North York Civic Centre – Railing System – CCA 151-12 (\$0.030 million) and Swansea Town House Community Centre and Library – 95 Lavinia – Replace windows – CCA 159-04 (0.147 million), as illustrated in Schedule “A” (Part 2) attached, with a zero gross and net impact.

Financial Impact

There are no additional costs to the City as a result of approval of this report.

The approval of this report will result in the reallocation of 2008 approved cash flows in the total amount of \$1.184 million within the Facilities and Real Estate 2008 Approved Capital Budget (Schedule “A”). It will also authorize the spending in two previously approved capital projects (for a zero net impact) which had no approved cash flows in 2008, but require additional funding due to unforeseen circumstances (Schedule “A”, Part 2).

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

Summary

This report requests Council’s authority to reallocate funds within the Facilities and Real Estate Division (F&RE) 2008 Approved Capital Budget. The reallocation of funds will have a zero net impact corporately and will better align 2008 cash flows with Facilities and Real Estate’s program requirements.

Background Information

Report - Facilities and Real Estate - 2008 Capital Budget Reallocations

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13528.pdf>)

Schedule "A" - Facilities and Real Estate - 2008 Capital Budget Reallocations

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13529.pdf>)

GM15.15	ACTION	Adopted		Ward: 5
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Potential Acquisition of 0 Cordova Avenue

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

(May 29, 2008) Report from Chief Corporate Officer

Committee Recommendations

The Government Management Committee recommends that:

1. City Council adopt the confidential recommendations 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. The Offer to Sell from the owner of the "Property" known be accepted substantially on the terms outlined in Appendix "A" and the Confidential Attachment 1 to this report, and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept the Offer on behalf of the City.
4. The City Solicitor be authorized to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as she considers reasonable.
5. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

The acquisition of the "Property" is part of the Kipling/Islington Redevelopment Initiative approved by City Council in 2007. Funding for the acquisition of the "Property" is available in the TTC's 2008-2012 Approved Capital Budget (Islington Station Improvements) (City Project Reference CTT131).

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

Summary

The proposed redevelopment of portions of the Bloor/Islington transit site will displace a large number of existing parking spaces in the south commuter parking lot. 0 Cordova Avenue (the "Property"), shown as Part 1 on the attached Sketch PS-2007-152 and abutting Bloor/Islington north commuter parking lot, is suitable for replacing some of the parking spaces to be displaced through the proposed redevelopment.

Background Information

Report - Potential Acquisition of 0 Cordova Avenue

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13530.pdf>)

Confidential Attachment 1 - Potential Acquisition of 0 Cordova Avenue

Site Maps - Potential Acquisition of 0 Cordova Avenue

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13532.pdf>)

GM15.16	ACTION	Amended		Ward: All
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Standing Authority for the City Solicitor to Commence Actions to Recover Claims Involving Amounts of \$500,000.00 or less

(May 6, 2008) Report from City Solicitor

Committee Recommendations

The Government Management Committee recommends that:

1. The City Solicitor be granted standing authority to commence, settle or terminate legal actions to recover monies owed to the City of Toronto with respect to any type of claim, where the amount sought to be recovered, exclusive of interest or costs, is \$500,000.00 or less.
2. *Such authority include the authority to settle claims without commencing formal legal action where appropriate, to commence legal action where appropriate, to discontinue or settle such legal action once commenced where it is concluded that it is reasonable to do so, to appeal any decision where warranted, to take collection proceedings to enforce judgements and orders where necessary, to authorize the Treasurer to write off amounts that are uncollectible where it is appropriate to do so, or otherwise deal with the recovery of such claims, in consultation, where appropriate, with the head of the relevant City division, and to execute any documents in furtherance thereof.*
3. Council ratify all actions already taken by the City Solicitor and any legal proceedings already commenced, to which this delegated authority would otherwise apply, and to authorize the City Solicitor to deal with those actions in accordance with this authority.
4. This authority supersede and replace any policies, authorities or by-laws which existed in the seven former municipalities with respect to the subject matter hereof but not any policy, authority or by-law authorized by the City of Toronto since amalgamation, which shall remain in force.
5. *The amounts written off pursuant to this authority be included in the Treasurer's annual report on accounts receivable write-offs.*
6. *The City Solicitor be authorized to introduce any necessary bills to give effect thereto.*
7. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

There is no financial impact beyond what has already been approved in the current year's budget.

Summary

This report seeks to: (1) obtain standing authority for the City Solicitor, subject to the terms set

out in this report, to commence, settle or terminate legal action to recover monies owing to the City of Toronto, where the amount sought to be recovered, exclusive of any interest or costs, is \$500,000.00 or less; and (2) obtain ratification of any legal action taken to date by the City Solicitor to which this authority would otherwise apply.

Background Information

Report - Standing Authority for the City Solicitor to Commence Actions to Recover Claims Involving Amounts of \$500,000.00 or less

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13533.pdf>

Meeting Sessions

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2008-06-13	Morning	9:35 AM	10:10 AM	Public
2008-06-13	Morning	11:30 AM	11:35 PM	Public