

Government Management Committee

Meeting No.	17	Contact	Yvonne Davies, Committee Administrator
Meeting Date	Wednesday, September 17, 2008	Phone	416-392-7443
Start Time	9:30 AM	E-mail	ydavies@toronto.ca
Location	Committee Room 1, City Hall		

Attendance

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

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

Minutes

On motion by Councillor Saundercook, the Government Management Committee confirmed the minutes of its meeting held on July 9, 2008.

Communications/Reports

GM17.1	ACTION	Adopted		Ward: 43
---------------	--------	---------	--	----------

Guild Revitalization Next Steps

(September 3, 2008) Report from Sue Corke, Deputy City Manager, and Bruce Bowes, Chief Corporate Officer

Recommendation

The Chief Corporate Officer and the Deputy City Manager responsible for Economic Development, Culture and Tourism; and for Parks, Forestry and Recreation recommend that:

1. Authority be granted to the Chief Corporate Officer to undertake negotiations with Centennial and TRCA for a letter of intent (“LOI”) containing the key terms of a long-term sublease to achieve the Hotel and the use of a portion of the Guild Inn site for the

operations and activities of Centennial's new Institute and any other relevant agreements, all on terms and conditions satisfactory to the Chief Corporate Officer, in consultation with the General Manager of Economic Development, Culture and Tourism and the General Manager of Parks, Forestry and Recreation, in a form satisfactory to the City Solicitor, and to report back to Council on the results of those negotiations.

Financial Impact

The Parks, Forestry and Recreation 2009 Capital Budget submission includes \$1 million for the demolition of the existing five storey hotel tower and the connecting corridor to the old inn, as well as removal of the outdoor swimming pool and restoration of the site to parkland. This work is required under all scenarios for future use of the site.

Included in the 2005 negotiations with the Westeinde Group to develop the site was a proposed \$7.5 million City investment in the Culture Precinct of the site. This gives an indication to Council of the magnitude of the City's investment that may be required as a result of the negotiations with Centennial.

A staff report on the results of the letter of intent negotiations with Centennial College is anticipated for spring 2009, and is expected to identify funding impacts and cash flow timing for the Culture Precinct improvements.

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

Summary

This report is to inform Council of a new opportunity to move forward revitalization efforts for the Guild Inn site after previous unsuccessful attempts. Staff are seeking authority to undertake negotiations with Centennial College ("Centennial") and the Toronto and Region Conservation Authority ("TRCA") for Centennial to establish a new small scale conference style hotel and related facilities (the "Hotel") at the Guild and to use part of the site for the operations and activities of Centennial's new Institute of Culture and Heritage Management (the "Institute").

Committee Recommendation

The Government Management Committee recommended that City Council:

1. Grant authority to the Chief Corporate Officer to undertake negotiations with Centennial and TRCA for a letter of intent ("LOI") containing the key terms of a long-term sublease to achieve the Hotel and the use of a portion of the Guild Inn site for the operations and activities of Centennial's new Institute and any other relevant agreements, all on terms and conditions satisfactory to the Chief Corporate Officer, in consultation with the General Manager of Economic Development, Culture and Tourism and the General Manager of Parks, Forestry and Recreation, in a form satisfactory to the City Solicitor, and to report back to Council on the results of those negotiations.

Motions

Motion to Adopt Item moved by Councillor Paul Ainslie (Carried)

Links to Background Information

Report - Guild Revitalization Next Steps

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15404.pdf>)

GM17.2	ACTION	Adopted		Ward: All
--------	--------	---------	--	-----------

Contract Amendment – 4 Office Automation Contract No. 47012285 Digital Photocopier and Facsimile Equipment and Services

(September 3, 2008) Report from Chief Information Officer and Acting Director, Purchasing and Materials Management

Recommendation

The Chief Information Officer and the Acting Director, Purchasing and Materials Management recommend that the Government Management Committee:

1. Grant authority to increase Contract No. 47012285 with 4-Office Automation Ltd. by \$1,911,504.42 net of GST to a new total value of \$4,824,117.37 and that the appropriate officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

The amendment to the current SAP Contract No. 47012285 results in an increase of \$1,911,504.42 net of GST from \$2,912,612.95 net of GST to \$4,824,117.37 net of GST for the supply of Digital Photocopier and Facsimile Equipment.

Funds required for the acquisition of photocopier and facsimile equipment and related services intended for various City Programs and Divisions as required, are available in the appropriate City Programs' 2008 Operating Budgets and requested in the appropriate City Programs' 2009 Operating Budget submissions.

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

Summary

This report is within the delegated authority of the Government Management Committee, and as such does not have to be considered by Council.

This report requests authority to increase the contract value of Contract No. 47012285 for the supply of Digital Photocopier , Facsimile Equipment and services by a total estimated amount of \$1,911,504.42 net of GST from \$2,912,612.95 net of GST to \$4,824,117.37 net of GST for

the period ending July 3, 2009. The Information & Technology Division has determined that approximately 302 digital photocopiers have been ordered from 4-Office Automation Ltd. during the term of the contract. Furthermore, various Programs and Divisions throughout the City have forecasted another 200 digital photocopiers including services by July 3, 2009. The breakdown of replacement equipment versus net new equipment is estimated at 80/20.

The City of Toronto Municipal Code Chapter 71- Financial Control, states that if costs for a commitment exceed the original funding by more than \$500,000 excluding all taxes, approval must be obtained from the appropriate Standing Committee. The amendment is primarily to ensure continued processing of digital photocopier and facsimile equipment and related services requests from various Programs throughout the City.

Decision Advice and Other Information

In accordance with Toronto Municipal Code, Chapter 71-11.1.C (Financial Control By-law), the Government Management Committee granted authority to increase Contract 47012285 with 4-Office Automation Ltd by \$1,911,504.42 net of GST to a new total value of \$4,824,117.37 and that the appropriate officials be authorized and directed to take the necessary action to give effect thereto.

Motions

Motion to Adopt Item moved by Councillor Bill Saundercook (Carried)

Motion to Re-open Item moved by Councillor Doug Holyday (Carried)

Motion to Adopt Item moved by Councillor Doug Holyday (Carried)

Links to Background Information

Report - Contract Amendment - 4 Office Automation Contract No. 47012285 Digital Photocopier and Facsimile Equipment and Services

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15405.pdf>)

GM17.3	ACTION	Adopted		Ward: All
--------	--------	---------	--	-----------

Metropolitan Toronto Pension Plan – Interest on Minimum Pension Increase

(September 3, 2008) Report from Treasurer

Recommendations

The Treasurer recommends that:

1. City staff continue to work diligently to ensure that the minimum pension is calculated and implemented as early as practical and no later than December 1, 2008.

2. City Council not approve the Metropolitan Toronto Pension Plan Board of Trustees recommendation to apply interest to the retroactive pension payments as it is not permitted by federal legislation.

Financial Impact

There are no financial implications arising from this report.

Summary

The Board of Trustees of the Metropolitan Toronto Pension Plan has requested that interest be calculated and paid to any member of the Metropolitan Toronto Pension Plan who may be impacted by the improvement of the minimum pension benefit. City Staff does not support this recommendation as it is not permitted by federal legislation.

The Metropolitan Toronto Pension Plan received approval to increase the minimum annual pension for pensioners who are members of the Metropolitan Toronto Pension Plan from \$300 to \$450 per year of service effective January 2008. The increases are to be calculated and implemented by City Staff as early as practical. City Staff are currently working to calculate these increases including the retroactive payment to January 2008. This adjustment and retroactive payment will be issued no later than December 1st, 2008.

Committee Recommendations

The Government Management Committee recommended that:

1. City staff continue to work diligently to ensure that the minimum pension is calculated and implemented as early as practical and no later than December 1, 2008.
2. City Council not approve the Metropolitan Toronto Pension Plan Board of Trustees recommendation to apply interest to the retroactive pension payments as it is not permitted by federal legislation.

Motions

Motion to Adopt Item moved by Councillor Cliff Jenkins (Carried)

Links to Background Information

Report - Metropolitan Toronto Pension Plan - Interest on Minimum Pension Increase
(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15406.pdf>)

3a Metropolitan Toronto Pension Plan – Interest on Minimum Pension Increase

(June 27, 2008) Letter from Board of Trustees of the Metropolitan Toronto Pension Plan

Recommendation

The Board of Trustees of the Metropolitan Toronto Pension Plan requests that the Government Management Committee recommend to City Council the approval of a payment to the pensioners from the Metropolitan Toronto Pension Plan, of any outstanding interest related to the minimum pension increases, as described in a communication (May 1, 2008) addressed to Shirley Hoy, City Manager, from Geof Clarkson, Chair, Board of Trustees, subject to the Income Tax Act.

Summary

The Board of Trustees of the Metropolitan Toronto Pension Plan on May 23, 2008:

1. considered the attached communication (May 1, 2008) addressed to Shirley Hoy, City Manager, from Geof Clarkson, Chair, Board of Trustees, regarding the implementation of a minimum pension increase for the Metropolitan Toronto Pension Plan; and
2. requested that the Government Management Committee recommend to City Council the approval of a payment to the pensioners from the Metropolitan Toronto Pension Plan, of any outstanding interest related to the minimum pension increases, as described in a communication (May 1, 2008) addressed to Shirley Hoy, City Manager, from Geof Clarkson, Chair, Board of Trustees, subject to the Income Tax Act.

The Board of Trustees of the Metropolitan Toronto Pension Plan on June 27, 2008 received a communication (June 12, 2008) from Shirley Hoy, City Manager, responding to the communication (May 1, 2008) from Geof Clarkson, Chair, Board of Trustees, regarding the payment of interest on a minimum pension increase to the pensioners of the Metropolitan Toronto Pension Plan.

Links to Background Information

Letter - GM17.3

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15407.pdf>

GM17.4	ACTION	Amended		Ward: All
--------	--------	---------	--	-----------

Cancellation, Reduction or Refund of Property Taxes – September 2008 Hearing

Statutory - City of Toronto Act, 2006

(August 25, 2008) Report from Treasurer

Recommendations

The Treasurer 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 \$871,788.53 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 \$281,422.00 including reductions in Business Improvements Area charges and excluding phase-in/capping adjustments, as identified in Appendix B, be approved.

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	120	\$871,788.53	\$508,484.47	\$362,065.66	\$1,238.40
B	28	\$281,422.00	\$166,667.32	\$114,657.53	\$97.15
Total	148	\$1,153,210.53	\$675,151.79	\$476,723.19	\$1,335.55

The City's share of \$675,151.79 will be funded from the 2008 Tax Deficiency Account (Non-Program Budget). The education share of \$476,723.19 will be recovered from the province/school boards, and the Business Improvement Area (BIA) reductions of \$1,335.55 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.

Committee Recommendations

The Government Management Committee recommended that City Council:

1. Approve the individual appeals pursuant to Section 323 of the City of Toronto Act, 2006 as provided in the Detailed Hearing Report marked as Appendix “A” attached to the report dated August 25, 2008 from the Treasurer, excluding the following application:

Section 323 -Appendix A

Ward Number	Appeal Number	Tax Year	Assessment Roll Number	Property Location	Reason for Adjournment	Tax Adjustment
38	200600824	2006	1901-08-2-420-00600	2201 Ellesmere Road	Under staff review	\$0.00
					TOTAL	\$0.00

2. Approve the individual tax appeal applications made pursuant to section 325 of the *City of Toronto Act, 2006* resulting in tax reductions totalling \$281,422.00 including reductions in Business Improvements Area charges and excluding phase-in/capping adjustments, as identified in Appendix B.

Decision Advice and Other Information

The Government Management Committee held a statutory hearing on Wednesday, September 17, 2008, in accordance with the *City of Toronto Act, 2006*. No one appeared before the Committee.

Motions

Motion to Amend Item moved by Deputy Speaker Gloria Lindsay Luby (Carried)

1. Recommendation 1 be amended to provide that the individual appeals pursuant to Section 323 of the *City of Toronto Act, 2006* as provided in the Detailed Hearing Report marked as Appendix “A” attached to the report dated August 25, 2008 from the Treasurer, be approved excluding the following application:

Section 323 -Appendix A

Ward Number	Appeal Number	Tax Year	Assessment Roll Number	Property Location	Reason for Adjournment	Tax Adjustment
38	200600824	2006	1901-08-2-420-00600	2201 Ellesmere Road	Under staff review	\$0.00
					TOTAL	\$0.00

Links to Background Information

Report - Cancellation, Reduction or Refund of Property Taxes -September 2008 Hearing

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15408.pdf>)

Appendix A - GM17.4

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15409.pdf>)

Appendix B - GM17.4

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15410.pdf>)

GM17.5	ACTION	Amended		Ward: All
--------	--------	---------	--	-----------

Apportionment of Property Taxes – September 2008 Hearing

Statutory - City of Toronto Act, 2006

(August 25, 2008) Report from Treasurer

Recommendations

The Treasurer recommends 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.

Financial Impact

Appendices A and B identify that approximately \$57,665.93 (as at August 19, 2008) in penalty and 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 2008 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

This report deals with 29 tax apportionment applications made by the Treasurer or to the Treasurer by an owner of land pursuant to section 322 of the *City of Toronto Act, 2006*, for the properties listed in Appendices A and B (attached).

The legislation requires Council to hold a public meeting at which the applicants and / or property owners may make representations. Council has delegated authority to hold such public meetings to the Government Management Committee.

Staff have mailed Notices of Hearing to affected taxpayers advising of the upcoming hearing before the Government Management Committee.

Communication

(September 15, 2008) Briefing Note from Giuliana Carbone, Director, Revenue Services (GM.New.GM17.5a)

<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-8398.pdf>

Speakers

Deborah Friesen

Cindy Reid

Committee Recommendations

The Government Management Committee recommended that City Council:

1. Approve the apportionment of property tax in the amounts identified in Appendix “A” and Appendix “B” under the columns entitled “Apportioned Tax” and “Apportioned Phase In/Capping”, excluding the following applications:

Page No.	Tax Year	Original Roll Number	Tax Roll No. for Apportioned Properties	Tax Apportionment	Ward No.
----------	----------	----------------------	---	-------------------	----------

Treasurer Initiated Applications – Appendix A:

6 of 8	2007	1919-01-1-120-01700	1919-01-1-120-1829 Range to 1919-01-1-120-01841	\$ 7,991.14	4
6 of 8	2007	1919-01-1-120-01800	1919-01-1-120-01800 Range to 1919-01-1-120-01874	\$ 6,942.15	4
			Total:	\$14,933.29	

Taxpayers Initiated Applications – Appendix B:

21 of 23	2008	1908-08-1-430-03100	1908-08-1-430-11801 Range to 1908-08-1-430-11802	\$10,682.80	25
				Total: \$10,682.80	

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

Decision Advice and Other Information

The Government Management Committee held a statutory hearing on Wednesday, September 17, 2008, in accordance with the *City of Toronto Act, 2006*.

Motions

Motion to Amend Item moved by Deputy Speaker Gloria Lindsay Luby (Carried)

1. That Recommendation 1 be amended to provide that Council approve the apportionment of property tax in the amounts identified in Appendix “A” and Appendix “B” under the columns entitled “Apportioned Tax” and “Apportioned Phase In/Capping”, excluding the following applications:

Page No.	Tax Year	Original Roll Number	Tax Roll No. for Apportioned Properties	Tax Apportionment	Ward No.
----------	----------	----------------------	---	-------------------	----------

Treasurer Initiated Applications – Appendix A:

6 of 8	2007	1919-01-1-120-01700	1919-01-1-120-1829 Range to 1919-01-1-120-01841	\$ 7,991.14	4
6 of 8	2007	1919-01-1-120-01800	1919-01-1-120-01800 Range to 1919-01-1-120-01874	\$ 6,942.15	4
				Total: \$14,933.29	

Taxpayers Initiated Applications – Appendix B:

21 of 23	2008	1908-08-1-430-03100	1908-08-1-430-11801 Range to 1908-08-1-430-11802	\$10,682.80	25
				Total: \$10,682.80	

Links to Background Information

Report - Apportionment of Property Taxes - September 2008 Hearing
<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15411.pdf>

Appendix A - GM17.5

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15412.pdf>

Appendix B - GM17.5

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15413.pdf>

GM17.6	ACTION	Adopted		Ward: 23
--------	--------	---------	--	----------

Tax Relief for Veteran's Memorial Homes Owned by the Canadian Legion (Toronto) Homes

(September 2, 2008) Report from Treasurer

Recommendations

The Treasurer recommends that:

1. Council authorize amendments to Article IX, Tax Rebate Program for Veteran's Clubhouse and Legion Halls, of the City of Toronto Municipal Code, Chapter 767, Taxation, to:
 - a. define the term "memorial home" to mean "a facility that provides affordable housing or rental housing units at below average rents, as defined in the City of Toronto Municipal Housing Facilities By-law, By-law No. 282-2002 for veterans, or spouses thereof, of the naval, military or air forces of Canada, Great Britain or Her Majesty's allies"; and
 - b. to require that if the applicant for rebate is a veteran's memorial home, it must provide documentation to confirm the number of housing units that are occupied by veterans for the period to which the application relates.
2. Authority be granted for the introduction of the necessary bills to give effect thereto.
3. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

Currently, the City of Toronto's Shelter, Housing and Support Administration Division pays a portion of the property taxes, both municipal and education portions, on rental housing units located at 4711-4719 Bathurst Street, 4701 Bathurst Street and 125 Stafford Road on behalf of the Canadian Legion (Toronto) Homes under a 1958 agreement which expires in 2008. The total amount paid by Shelter, Housing and Support for the three properties under this agreement was approximately \$202,800 in 2007 – the balance of the annual taxes (approximately \$3,550) were paid by Canadian Legion (Toronto) Homes.

The City's obligation to pay property taxes on these three properties will cease in 2008, with the expiry of the 1958 agreement. Once the agreement has expired, and provided the recommendations in this report are adopted, these properties may then apply for a 100 per cent rebate of the property taxes payable on the eligible portion of these properties (i.e., units occupied by veterans) under the City's Rebate Program for Veteran's Clubhouses and Legion Halls. Assuming all units are eligible to receive the rebate, the estimated maximum amount of the total annual rebate for these three properties would total approximately \$220,140 per year, comprised of a municipal portion of \$192,375 and an education portion of \$27,765. However, as the costs of veteran's rebates are shared by Toronto's school boards, the education portion of taxes of \$27,765 would be deducted from amounts payable to the school boards, hence the City's maximum costs for rebates to these properties would be approximately \$192,375 annually.

With the termination of the tax assistance agreement, the City's Shelter, Housing and Support Administration Division will realize operating cost savings of approximately \$220,000 per year. These operational savings will be offset, however, by an increase in the funding requirement for the City's non-program tax deficiencies account, from which veteran's rebates are funded, to a maximum of \$192,375. The actual amount of the required rebate for these three properties is not yet known, and will depend on the number of units which qualify to receive the rebate. It is expected that not all units will qualify to receive the rebate, and therefore the total annual rebate requirement will be less than the amount previously paid by Shelter, Housing and Support Administration, resulting in savings between \$27,765 at a minimum (savings on the education share of taxes) and \$192,375 (if no units are eligible).

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

Summary

This report provides information on properties owned by the Canadian Legion (Toronto) Homes used to provide affordable housing to veterans, and seeks Council authority to amend the Tax Rebate program for Veteran's Clubhouses and Legion Halls to clarify the definition and eligibility requirements for veteran's memorial homes.

Committee Recommendations

The Government Management Committee recommended that:

1. Council authorize amendments to Article IX, Tax Rebate Program for Veteran's Clubhouse and Legion Halls, of the City of Toronto Municipal Code, Chapter 767, Taxation, to:
 - a. define the term "memorial home" to mean "a facility that provides affordable housing or rental housing units at below average rents, as defined in the City of Toronto Municipal Housing Facilities By-law, By-law No. 282-2002 for veterans, or spouses thereof, of the naval, military or air forces of Canada, Great Britain or Her Majesty's allies"; and

- b. to require that if the applicant for rebate is a veteran's memorial home, it must provide documentation to confirm the number of housing units that are occupied by veterans for the period to which the application relates.
2. Authority be granted for the introduction of the necessary bills to give effect thereto.
3. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Motions

Motion to Adopt Item moved by Councillor Bill Saundercook (Carried)

Declared Interests

The following member(s) declared an interest:

Councillor Paul Ainslie - He is a member of the Royal Canadian Legion Branch 258, which owns a seniors home.

Links to Background Information

Report - Tax Relief for Veteran's Memorial Homes Owned by the Canadian Legion (Toronto) Homes

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15414.pdf>)

GM17.7	ACTION	Adopted		Ward: 27
--------	--------	---------	--	----------

112 Elizabeth Street – Designation of a Portion of Premises as a Municipal Capital Facility

(August 29, 2008) Report from Treasurer

Recommendations

The Treasurer recommends that:

1. Council pass a by-law pursuant to section 252 of the City of Toronto Act, 2006, providing authority to:
 - a. enter into a municipal capital facility agreement with the owner, 2001064 Ontario Inc., of the property located at 112 Elizabeth Street in respect of lands leased by the City of Toronto, Facilities and Real Estate Division, and used for the general administration of the City; and
 - b. exempt the leased space at 112 Elizabeth Street (14,518 square feet) from taxation for municipal and school purposes, which tax exemption is to be effective from the later of the following dates: the date the municipal capital facility agreement is signed; or the date the tax exemption by-law is enacted.

2. The City Clerk be directed to give written notice of the by-law to the Minister of Education, the Municipal Property Assessment Corporation, the Toronto District School Board, the Toronto Catholic District School Board, the Conseil Scolaire de District du Centre-Sud-Ouest, and the Conseil Scolaire de District du Catholique Centre-Sud.
3. Authority be granted for the introduction of the necessary bills to give effect thereto.
4. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

The annual property taxes on the space leased by Facilities and Real Estate at 112 Elizabeth Street are estimated at approximately \$110,437, comprised of a municipal portion of \$88,452 and a provincial education portion of \$21,985, based on 2008 Current Value Assessment (CVA) and 2008 tax rates, including all capping adjustments.

The annual operating budget for the Facilities and Real Estate Division includes amounts for rent (which include property taxes) on leased space, and as such there would be no net impact on the municipal portion of taxes from the exemption, as the decrease in municipal tax revenue would be offset by a corresponding reduction in the annual budgetary requirement for the Facilities and Real Estate Division. However, making the leased space exempt would result in net savings to the City of \$21,985 per year, representing the provincial education share of taxes that would no longer be payable once the exemption takes effect (See Table 1).

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

Table 1
Financial Savings due to Property Tax Exemption – 112 Elizabeth Street

	Municipal Taxes	+ Education Taxes	+ Other Rental Amount	= Total Budget Requirement
Amounts Payable if Taxable	\$88,452	\$21,985	\$37,712	\$148,149
Amounts Payable if Exempt	\$0	\$0	\$37,712	\$37,712
Gross Savings due to exemption:				\$110,437
Less Reduction in Municipal Tax Revenues:				-\$88,452
Total Net Savings:				\$21,985

Summary

This report seeks Council authority to adopt the necessary by-laws to designate the leased premises at 112 Elizabeth Street that are used for the general administration of the City as a municipal capital facility and to provide a property tax exemption for municipal and education purposes. Providing a tax exemption for the leased space will result in a net financial savings to the City of approximately \$21,985 per year, representing the provincial education share of taxes that will no longer be payable.

Committee Recommendations

The Government Management Committee recommended that:

1. Council pass a by-law pursuant to section 252 of the City of Toronto Act, 2006, providing authority to:
 - a. enter into a municipal capital facility agreement with the owner, 2001064 Ontario Inc., of the property located at 112 Elizabeth Street in respect of lands leased by the City of Toronto, Facilities and Real Estate Division, and used for the general administration of the City; and
 - b. exempt the leased space at 112 Elizabeth Street (14,518 square feet) from taxation for municipal and school purposes, which tax exemption is to be effective from the later of the following dates: the date the municipal capital facility agreement is signed; or the date the tax exemption by-law is enacted.
2. The City Clerk be directed to give written notice of the by-law to the Minister of Education, the Municipal Property Assessment Corporation, the Toronto District School Board, the Toronto Catholic District School Board, the Conseil Scolaire de District du Centre-Sud-Ouest, and the Conseil Scolaire de District du Catholique Centre-Sud.
3. Authority be granted for the introduction of the necessary bills to give effect thereto.
4. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Motions

Motion to Adopt Item moved by Councillor Cesar Palacio (Carried)

Links to Background Information

Report - 112 Elizabeth Street - Designation of a portion of premises as a Municipal Capital Facility

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15415.pdf>)

GM17.8	Information	Deferred		Ward: All
--------	-------------	----------	--	-----------

Largest Property Tax Debtors with Tax Arrears Greater than \$500,000 as at June 30, 2008

Confidential Attachment - 2 Personal matters about an identifiable individual, including municipal or local board employees

(August 26, 2008) Report from Treasurer

Financial Impact

There are no financial implications arising from this report.

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

Summary

To provide information on property tax accounts with outstanding receivables of \$500,000 or more as at June 30, 2008.

This report contains two attachments:

- a. Attachment 1 is public information, and lists properties owned by a corporation with tax arrears of \$500,000 or more.
- b. Attachment 2 is confidential, and lists properties owned by individuals with tax arrears of \$500,000 or more. The Municipal Freedom of Information and Protection of Privacy Act prevents the public disclosure of the information contained in Attachment 2.

The confidential information contained in Attachment 2 should remain confidential, as it relates to personal information about identifiable individual(s), and as such may not be disclosed under the provisions of the Municipal Freedom of Information and Protection of Privacy Act.

Decision Advice and Other Information

The Government Management Committee deferred this item to its next meeting on October 21, 2008, for public debate and consideration.

Motions

Motion to Defer Item moved by Councillor Cliff Jenkins (Carried)

Links to Background Information

Report - Largest Property Tax Debtors with Tax Arrears Greater than \$500,000 as at June 30, 2008

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15416.pdf>

Attachment 1 - GM17.8

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15417.pdf>

Confidential Attachment 2 - GM17.8

GM17.9	ACTION	Adopted		Ward: 5
--------	--------	---------	--	---------

Statutory Offer of Compensation - Expropriation of 5341 Dundas Street West Kipling Redevelopment Initiative

(September 3, 2008) Report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. Each of the Chief Corporate Officer and the Director of Real Estate Services, in consultation with TTC staff, the City Solicitor and independent environmental and appraisal consultants retained to assist in the valuation of the property, be authorized severally to make and serve the Offer on the Owner of the Property, together with the supporting appraisal report, in accordance with Section 25 of the *Expropriations Act* (the “Act”) in an amount up to \$650,000.00 for its fee simple interest.
2. Each of the Executive Director of Facilities and Real Estate Services and the Director of Real Estate Services be authorized severally to sign the Offer on behalf of the City in a form satisfactory to the City Solicitor.
3. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

In February 2007, City Council approved the Kipling/Islington (“K/I”) Initiative and allocated \$17.5 million of capital funding from the Land Acquisition Reserve Fund for this project, subject to confirmation of funding commitments from Mississauga Transit, GO Transit, the Province of Ontario, the Greater Toronto Transportation Authority, (now known as “Metrolinx”), and the Federal Government. For the Kipling portion of the K/I Initiative, the Province has since committed to capital funding of \$30 million and Mississauga Transit has committed to \$5.5 million.

Funding for the Offer in the amount of \$650,000.00 is available in the TTC2008-2012 Approved Capital Budget, Account CTT130.

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

Summary

A new interregional terminal is to be constructed on the TTC Kipling Station lands as part of the Kipling/Islington Redevelopment Initiative approved by Council in 2007. 5341 Dundas Street West (the “Property”) is required for establishing a new driveway entrance to the new TTC/GO/Mississauga Transit terminal. In April 2008, City Council authorized staff to complete the expropriation process to acquire the Property. This report seeks Council approval to serve the Section 25 Offer of Compensation (the “Offer”) to, 1127792 Ontario Limited (the “Owner”), as required by the *Expropriations Act*.

Committee Recommendations

The Government Management Committee recommended that City Council:

1. Authorize each of the Chief Corporate Officer and the Director of Real Estate Services, in consultation with TTC staff, the City Solicitor and independent environmental and

appraisal consultants retained to assist in the valuation of the property, severally to make and serve the Offer on the Owner of the Property, together with the supporting appraisal report, in accordance with Section 25 of the *Expropriations Act* (the “Act”) in an amount up to \$650,000.00 for its fee simple interest.

2. Authorize each of the Executive Director of Facilities and Real Estate Services and the Director of Real Estate Services, severally to sign the Offer on behalf of the City in a form satisfactory to the City Solicitor.
3. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Motions

Motion to Adopt Item moved by Councillor Paul Ainslie Carried)

Links to Background Information

Report - Statutory Offer of Compensation - Expropriation of 5341 Dundas Street West Kipling Redevelopment Initiative

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15419.pdf>)

Site Maps - GM17.9

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15420.pdf>)

GM17.10	Information	Deferred		Ward: All
---------	-------------	----------	--	-----------

Green Fleet Plan 2008-2011 Interim Update 1

(September 3, 2008) Report from Chief Corporate Officer

Financial Impact

This report will have no financial impact beyond what has already been approved in the current year’s budget.

Summary

This report provides the first interim update on the Green Fleet Plan 2008-2011, adopted by Council in March 2008. Led by Fleet Services Division, the plan sets out the measures that the City will take to reduce fuel use and emissions of greenhouse gases and smog pollutants from the Divisions’ vehicles. This report provides an update on four areas of the plan:

1. lifecycle impacts of hybrid vehicles;
2. environmental implications of biofuels;
3. electric, low-speed vehicles and
4. an idle-reduction pilot project.

These updates were requested by Council and Government Management Committee.

Decision Advice and Other Information

The Government Management Committee deferred this item to its next meeting on October 21, 2008, for public debate and consideration.

Motions

Motion to Defer Item moved by Councillor Cliff Jenkins (Carried)

Links to Background Information

Report - Green Fleet Plan 2008-2011 Interim Update 1

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15421.pdf>)

GM17.11	Information	Received		Ward: All
---------	-------------	----------	--	-----------

Security Video Surveillance Update Report

Confidential Attachment - 1 - The security of the property of the municipality or local board

(August 29, 2008) Report from Chief Corporate Officer

Financial Impact

There are no new financial requirements emanating from this report.

Summary

The City of Toronto's Security Video Surveillance Policy contains two requirements for the Chief Corporate Officer to report back to City Council regarding video surveillance.

This report provides a confidential attachment listing all security video surveillance equipment installed in the last year as well as acknowledgement that the Chief Corporate Officer has reviewed the Security Video Surveillance Policy and has no further recommendation for update at this time. The confidential attachment must remain confidential as it involves the security of property belonging to the City.

Communications

(September 16, 2008) letter from Ann Dembinski, President, Local 79, Canadian Union of Public Employees (GM.New.GM17.11.1)

(<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-8392.pdf>)

Decision Advice and Other Information

The Government Management Committee received this report for information.

Motions

Motion to Receive Item moved by Councillor Bill Saundercook (Carried)

Links to Background Information

Report - Security Video Surveillance Update Report

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15422.pdf>)

Confidential Attachment 1 - GM17.11

GM17.12	ACTION	Adopted		Ward: 2
---------	--------	---------	--	---------

Lease Renewal of 321 Rexdale Blvd Unit # 3 for Approximately 4,256 Square Feet for EMS for Use as an Ambulance Station

(August 28, 2008) Report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that City Council:

1. Authorize the Chief Corporate Officer to enter into the Lease Renewal with Reiter-Memetz, for a two (2) year term with the option to renew for an additional two year term based on the terms and conditions set out in the attached Appendix “A”, and other terms and conditions acceptable to the Chief Corporate Office, and in a form acceptable to the City Solicitor.
2. The Chief Corporate Officer be authorized to administer and manage the lease agreements include the provision for 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 term of the lease amounts to \$95,760 and is part of the annualized budget of the Emergency Services Budget.

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

Summary

The purpose of this report is to obtain City Council authority to enter into a lease renewal with Reiter-Memetz for space at 321 Rexdale Blvd, Unit # 3 in the amount of 4,256 square feet. The agreement is for two years commencing August 1, 2007 and expiring on July 31, 2009 and includes a renewal option for a further term of two years, subject to the same terms and conditions save and except for the Basic Rent.

Committee Recommendations

The Government Management Committee recommended that City Council:

1. Authorize the Chief Corporate Officer to enter into the Lease Renewal with Reiter-Memetz, for a two (2) year term with the option to renew for an additional two year term based on the terms and conditions set out in the attached Appendix “A”, and other terms and conditions acceptable to the Chief Corporate Office, and in a form acceptable to the City Solicitor.
2. The Chief Corporate Officer be authorized to administer and manage the lease agreements including the provision for 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.

Motions

Motion to Adopt Item moved by Councillor Bill Saundercook (Carried)

Links to Background Information

Report - Lease Renewal of 321 Rexdale Blvd Unit # 3 for Approximately 4,256 Square Feet for EMS for Use as an Ambulance Station

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15424.pdf>

Appendix A - GM17.12

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15425.pdf>

Appendix B - GM17.12

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15426.pdf>

GM17.13	ACTION	Adopted		Ward: 23
----------------	--------	---------	--	----------

Lease Renewal at 255 Finch Avenue West For Approximately 21,770 Square Feet For Children’s Services – Child Care Centre

(August 28, 2008) Report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that City Council:

1. Authorize the Chief Corporate Officer to enter into the Lease Renewal with Northminster United Church, for a three (3) year term with the option to renew for an additional two year term based on the terms and conditions set out in the attached Appendix “A”, and other terms and conditions acceptable to the Chief Corporate Office, and in a form acceptable to the City Solicitor.
2. The Chief Corporate Officer be authorized to administer and manage the lease agreements include the provision for 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

Funding in the amount of \$40,292 net of GST was included in the 2007 Operating Budget.

Funding of \$70,269 net of GST is available in the 2008 Operating Budget in cost centre E1871J, cost elements 4415 - 4433. The balance of the lease requirements will be included in the Operating Budget submissions for years 2009-2010.

The total expenditure for the term of the lease totals \$213,461 net of GST, as noted in the following table:

Year	Total Rent
2007	\$40,292
2008	\$70,269
2009	\$72,373
2010	\$30,527
Totals	\$213,461

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 City Council authority to enter into a lease renewal with Northminster United Church for space at 255 Finch Avenue West in the amount of 21,770 square feet. The renewal is for three years commencing June 1, 2007 and expiring on May 31, 2010 and includes a renewal option for a further term of two years, subject to the same terms and conditions save and except for the Basic Rent which shall be annual increased by the Consumer Price Index (CPI) of Toronto over the previous year, and, caretaker service charges which shall be the then current rates charged.

Committee Recommendations

The Government Management Committee recommended that City Council:

1. Authorize the Chief Corporate Officer to enter into the Lease Renewal with Northminster United Church, for a three (3) year term with the option to renew for an additional two year term based on the terms and conditions set out in the attached Appendix "A", and other terms and conditions acceptable to the Chief Corporate Office, and in a form acceptable to the City Solicitor.

2. Authorize the Chief Corporate Officer to administer and manage the lease agreements including the provision for 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.

Motions

Motion to Adopt Item moved by Councillor Cesar Palacio (Carried)

Links to Background Information

Report - Lease Renewal at 255 Finch Avenue West For Approximately 21,770 Square Feet For Children's Services - Child Care Centre

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15427.pdf>)

Appendix A - GM17.13

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15428.pdf>)

Appendix B - GM17.13

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15429.pdf>)

GM17.14	ACTION	Adopted		Ward: 23
---------	--------	---------	--	----------

Lease Agreement at 5151 Yonge Street

(August 29, 2008) Report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. Council authorize the new lease agreement at 5151 Yonge Street with 1024005 Ontario Inc., carrying on business as Cosmetic World for a five (5) year term with the option of renewal for an additional five (5) year term commencing on September 1, 2008 based on the terms and conditions as set out in the attached Appendix "A".
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 revenue from this lease is estimated to be \$78,750.00 per year, for a total of \$393,750.00, net of GST, as follows:

5151 Yonge Street					
Floor	Size (Sq. Ft.)	Term	Commencement Date of Lease	Rental Rate (P.S.F.)	Total Revenue
1 st Floor	1,750	5 Years	September 1 st , 2008	\$25.00	\$218,750
2 nd Floor	1,750	5 Years	September 1 st , 2008	\$20.00	\$175,000

Out of this total amount \$26,250.00 will be received in 2008. The tenant is responsible for realty taxes, building insurance and maintenance, as well as all other occupancy costs including water, gas, hydro, heating and air conditioning.

This represents an annual increase of \$38,750.00 (\$12,917.00 in 2008), for a total of \$193,750.00 over the five year term of the lease. No budget allocation has been made for this increase in 2008 however, the future year increases will be included in respective Operating Budget Submissions for Facilities and Real Estate.

The rates for the renewal period will be renegotiated by both parties and will reflect the then market rents for similarly leased properties within the general vicinity.

The Deputy City Manger 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 enter into a new lease agreement with 1024005 Ontario Inc., carrying on business as Cosmetic World, for approximately 3,500 square feet of retail space located at 5151 Yonge Street.

Committee Recommendations

The Government Management Committee recommended that City Council:

1. Authorize the new lease agreement at 5151 Yonge Street with 1024005 Ontario Inc., carrying on business as Cosmetic World for a five (5) year term with the option of renewal for an additional five (5) year term commencing on September 1, 2008 based on the terms and conditions as set out in the attached Appendix "A".
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.

Motions

Motion to Adopt Item moved by Councillor Cliff Jenkins (Carried)

Links to Background Information

Report - Lease Agreement at 5151 Yonge Street

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15430.pdf>)

Appendix A - GM17.14

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15431.pdf>)

Appendix B - GM17.14

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15432.pdf>)

GM17.15	ACTION	Adopted		Ward: 23
---------	--------	---------	--	----------

Land Exchange with the Toronto District School Board for Lands at Edithvale Park

(September 5, 2008) Report from Chief Corporate Officer, and General Manager of Parks, Forestry and Recreation

Recommendations

The Chief Corporate Officer and General Manager of Parks, Forestry and Recreation recommend that:

1. The City enter into a Land Exchange Agreement with the TDSB for lands shown as Part 3 on Sketch No. PS-2008-107a (the “Sketch”) and described as being part of Lot 20, Concession 1 WYS, Township of York (“TDSB Lands”) in exchange for lands shown as Part 1 and Part 2 on the Sketch and described as being Lots 85, 86, 87, 88, 89, 90 and 91 on Plan 4976 (“City Lands”), and monetary consideration in the amount of \$2,830,000.00 (plus GST if applicable), substantially on the terms and conditions outlined in Appendix “A” to this report and such other terms as the Chief Corporate Officer and the City Solicitor deem advisable to protect the interests of the City.
2. The City enter into a new lease with the TDSB for that portion of the building and land shown as Part 4 and Part 5 on the Sketch to allow recreation programming to continue while construction of the new community centre takes place. The lease is to be for a term of two years commencing on the closing of the transaction, at a rental rate of \$87,000 per annum, substantially on the terms and conditions set out in the expired lease for the TDSB lands and such other terms as may be acceptable to the General Manager of Parks, Forestry and Recreation and the City Solicitor.
3. The City acquire a permanent easement over Part 12 as shown on the draft Reference Plan attached as Appendix “C” to this report, for the operation and maintenance of existing storm and sanitary sewers.
4. The 2008 Parks, Forestry and Recreation Capital Budget be amended by the addition of a new sub-project for the Land Acquisition and the Demolition of the Existing TDSB Building at 7 Edithvale Drive, with total project costs of \$3,111,625.00 and cash flow of

\$2,911,625.00 in 2008 and \$200,000.00 in 2010, to complete the parkland acquisition and demolition work for the construction of a new community centre, funded from the following four reserve funds:

Parkland Acquisition – North York Local Reserve Fund (XR2041) in the amount of \$59,000.00 or the balance of the fund

Parkland Acquisition – North York City-Wide Reserve Fund (XR2039) in the amount of \$249,000.00 or the balance of the fund

Parkland Acquisition – North District Local Land Fund (XR2206) in the amount of \$2,103,764.00 or the balance of the fund

Parkland Acquisition – City Wide Land Acquisition Fund (XR2210) in the amount of \$699,861.00 or the balance required to fund this transaction of \$3,111,625.00.

5. The report be forwarded to the Budget Committee for consideration at its meeting scheduled for September 19, 2008.
6. 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.

Financial Impact

Land Exchange and Existing Building Demolition

The proposed transaction will result in expenditures in the amount of \$3,111,625.00 to cover the following:

1. The land exchange costs of \$2,911,625.00 (net of G.S.T.), including the land transfer tax and other closing costs, as illustrated in the chart below, to be cash flowed in 2008.

Lands to be Exchanged	Area	Appraised Value
City Lands to TDSB: Part 1 on Sketch Part 2 on Sketch	0.379 ha (0.936 ac.) <u>0.061 ha (0.150 ac.)</u>	
Total	0.439 ha (1.086 ac.)	\$2,700,000.00
TDSB Lands to City: Part 3 on Sketch	1.203 ha (2.972 ac.)	\$5,530,000.00
Difference	0.763 ha (1.886 ac.)	\$2,830,000.00
Land Transfer Tax		\$81,425.00
Registration Costs		\$200.00
Other Costs		0
Total Net of GST		\$ 2,911,625.00

2. Costs associated with the demolition of the existing TDSB school building on the land purchased by the City to allow construction of the new community centre parking lot, following the completion of construction of the new community centre, in the amount of \$200,000.00 (net of G.S.T.) to be cash flowed in 2010.

No provision has been made in the Approved 2008 Capital Budget or 2008-2012 Capital Plan for this acquisition and demolition of the existing building. Funds are currently available in the following Parkland Acquisition Funds:

Parkland Acquisition – North York Local Reserve Fund (XR2041)	\$59,000
Parkland Acquisition – North York City-Wide Reserve Fund (XR2039)	\$249,000
Parkland Acquisition – North District Local Land Fund (XR2206)	\$2,103,764
Parkland Acquisition – City Wide Land Acquisition Fund (XR2210)	\$6,536,000

Edithvale Community Centre

The 2008 Parks, Forestry and Recreation Capital Budget includes a project known as Edithvale Community Centre Construction (Ward 23) (CC 223, CPR123-38-07) in the amount of \$15,000,000.00, cash flowed over years 2008 through 2010 (\$1 million in 2008, \$10 million in 2009, and \$4 million in 2010). Parks, Forestry and Recreation is ready to tender this project and the subject land transfer is required to enable commencement of construction later in 2008.

When the new 50,000 square foot community centre is complete the operating cost for a full year of operation (2011) is estimated to be approximately \$810,000 per year greater than the estimated current annual operating costs for the existing 25,000 square foot facility (phased in over 2010-2011).

Somewhat offsetting this will be a reduction and ultimate elimination in the lease expense paid to the TDSB. The existing lease expense for the full school building in 2008 is approximately \$190,000 per year. The proposed lease of the south portion of the school and associated parking lot will be reduced to \$87,000 per year for each of years 2009 and 2010 after which there will be no further leasing expenses.

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 seek authority to enter into an agreement to exchange lands owned by the City for lands owned by the Toronto District School Board (the “TDSB”) for the purpose of the City constructing a new community centre.

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

Decision Advice and Other Information

The Government Management Committee recommended to the Budget Committee for its meeting on September 19, 2008, that:

1. The City enter into a Land Exchange Agreement with the TDSB for lands shown as Part 3 on Sketch No. PS-2008-107a (the “Sketch”) and described as being part of Lot 20, Concession 1 WYS, Township of York (“TDSB Lands”) in exchange for lands shown as Part 1 and Part 2 on the Sketch and described as being Lots 85, 86, 87, 88, 89, 90 and 91 on Plan 4976 (“City Lands”), and monetary consideration in the amount of \$2,830,000.00 (plus GST if applicable), substantially on the terms and conditions outlined in Appendix “A” to this report and such other terms as the Chief Corporate Officer and the City Solicitor deem advisable to protect the interests of the City.
2. The City enter into a new lease with the TDSB for that portion of the building and land shown as Part 4 and Part 5 on the Sketch to allow recreation programming to continue while construction of the new community centre takes place. The lease is to be for a term of two years commencing on the closing of the transaction, at a rental rate of \$87,000 per annum, substantially on the terms and conditions set out in the expired lease for the TDSB lands and such other terms as may be acceptable to the General Manager of Parks, Forestry and Recreation and the City Solicitor.
3. The City acquire a permanent easement over Part 12 as shown on the draft Reference Plan attached as Appendix “C” to this report, for the operation and maintenance of existing storm and sanitary sewers.
4. The 2008 Parks, Forestry and Recreation Capital Budget be amended by the addition of a new sub-project for the Land Acquisition and the Demolition of the Existing TDSB Building at 7 Edithvale Drive, with total project costs of \$3,111,625.00 and cash flow of \$2,911,625.00 in 2008 and \$200,000.00 in 2010, to complete the parkland acquisition and demolition work for the construction of a new community centre, funded from the following four reserve funds:
 - Parkland Acquisition – North York Local Reserve Fund (XR2041) in the amount of \$59,000.00 or the balance of the fund
 - Parkland Acquisition – North York City-Wide Reserve Fund (XR2039) in the amount of \$249,000.00 or the balance of the fund
 - Parkland Acquisition – North District Local Land Fund (XR2206) in the amount of \$2,103,764.00 or the balance of the fund
 - Parkland Acquisition – City Wide Land Acquisition Fund (XR2210) in the amount of \$699,861.00 or the balance required to fund this transaction of \$3,111,625.00.
5. 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.

Motions

Motion to Adopt Item moved by Councillor Paul Ainslie (Carried)

Links to Background Information

Report - Land Exchange with the Toronto District School Board for Lands at Edithvale Park
(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15556.pdf>)

Appendix A - GM17.15

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15557.pdf>)

Appendix B - GM17.15

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15558.pdf>)

Appendix C - GM17.15

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15559.pdf>)

15a Land Exchange with the Toronto District School Board for Lands at Edithvale Park

(September 2, 2008) Report from Chief Corporate Officer

Summary

The purpose of this report is to advise that a staff action report, “Land Exchange with the Toronto District School Board for Lands at Edithvale Park”, will be on the Supplementary Agenda for the Government Management Committee meeting scheduled for September 17, 2008.

Links to Background Information

Item GM17.15 - Land Exchange with the Toronto District School Board for Lands at Edithvale Park

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15433.pdf>)

(Budget Committee; c. Chief Corporate Officer; General Manager of Parks, Forestry and Recreation; Director of Real Estate Services; Director of Parks Development and Infrastructure Management – September 17, 2008)

GM17.16	ACTION	Adopted		Ward: 22
---------	--------	---------	--	----------

Acquisition of Portion of 95 St. Clair Avenue West**Confidential Attachment - 1 - A proposed or pending acquisition or sale of land for municipal or local board purposes**

(August 27, 2008) Report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. Authority be granted to enter into an Agreement of Purchase and Sale with Desjardins Financial Security Life Assurance Company (Desjardins), substantially on the terms outlined in Attachment 1 Confidential Information, and on such other terms and conditions as may be acceptable to the Chief Corporate Officer, and in a form satisfactory to the City Solicitor.
2. Each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to execute the Agreement of Purchase and Sale on the City's behalf.
3. 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 the commencement or other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable; and
4. City Council authorize the public release of the Confidential Information contained in Attachment 1 upon the later of, completion of all terms of the purchase and sale agreement with Desjardins to the satisfaction of the City Solicitor or completion and final settlement of all property transactions and claims related to the St. Clair Avenue West Transit Improvement Project.

Financial Impact

The specific amount of funding for the property acquisition is discussed in Attachment 1 to this report. Funding will be provided from the 2008 Capital Budget for Transportation Services, account CTP806-30-06.

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

Summary

To seek approval to acquire, from Desjardins Financial Security Life Assurance Company, a portion of the property known municipally as 95 St. Clair Avenue West, being Part 1 on the Draft Plan attached hereto as Appendix "A", for road widening purposes to accommodate the St. Clair Avenue West Transit Improvement Project.

Committee Recommendations

The Government Management Committee recommended that City Council:

1. Grant authority to enter into an Agreement of Purchase and Sale with Desjardins Financial Security Life Assurance Company (Desjardins), substantially on the terms

outlined in Attachment 1 Confidential Information, and on such other terms and conditions as may be acceptable to the Chief Corporate Officer, and in a form satisfactory to the City Solicitor.

2. Authorize each of the Chief Corporate Officer and the Director of Real Estate Services, severally to execute the Agreement of Purchase and Sale on the City's behalf.
3. Authorize the City Solicitor to complete the transaction on behalf of the City, including making payment of any necessary expenses and amending the closing date and the commencement or other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.
4. Authorize the public release of the Confidential Information contained in Attachment 1 upon the later of, completion of all terms of the purchase and sale agreement with Desjardins to the satisfaction of the City Solicitor or completion and final settlement of all property transactions and claims related to the St. Clair Avenue West Transit Improvement Project.

Motions

Motion to Adopt Item moved by Councillor Cliff Jenkins (Carried)

Links to Background Information

Report - Acquisition of Portion of 95 St. Clair Avenue West

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15434.pdf>)

Appendix A - GM17.16

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15435.pdf>)

Appendix B - GM17.16

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15436.pdf>)

Confidential Attachment 1 - GM17.16

GM17.17	ACTION	Adopted		Ward: All
---------	--------	---------	--	-----------

Litigation Regarding Construction of 43 Division

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

(August 18, 2008) Report from City Solicitor

Recommendation

It is recommended that:

1. All steps taken to date by the City Solicitor be ratified, and that she be authorised to continue proceedings against NW, to settle or discontinue the action where it is concluded it is reasonable to do so and to execute any documents in furtherance thereof,

and to appeal any court decision with respect thereto, if in the City Solicitor’s opinion it is reasonable to do so.

Financial Impact

The financial implications resulting from the adoption of this report are set out in the Confidential Information Attachment 1.

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

Summary

Nelson Wong Architects Inc. (“NW”) entered a contract with the City to provide architectural consulting services with respect to the design and construction of the new 43 Division Police station, as well as an ambulance station located within the same facility, located at 4331 Lawrence Avenue East Toronto.

The City Solicitor issued a claim against NW concerning its work on 43 Division in 2007. The purpose for this report is to seek instructions to continue that litigation.

Committee Recommendation

The Government Management Committee recommended that City Council:

1. Direct that all steps taken to date by the City Solicitor be ratified, and that she be authorised to continue proceedings against NW, to settle or discontinue the action where it is concluded it is reasonable to do so and to execute any documents in furtherance thereof, and to appeal any court decision with respect thereto, if in the City Solicitor’s opinion it is reasonable to do so.

Motions

Motion to Adopt Item moved by Councillor Paul Ainslie (Carried)

Links to Background Information

Report - Litigation Regarding Construction of 43 Division
<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15438.pdf>
 Confidential Attachment 1 - GM17.17

GM17.18	Information	Received		Ward: All
---------	-------------	----------	--	-----------

Follow-up on Authority for City Solicitor to Recover Unpaid Amounts Owing for Contracted Road Work

(August 28, 2008) Report from City Solicitor

Financial Impact

There are no financial implications arising from this report.

Summary

City Council, at its April 28 and 29, 2008 meeting, by adopting Report GM13.26, referred the following motion to the City Solicitor and the General Manager, Transportation Services, for a follow-up report to the Government Management Committee:

That, until such time as the matter of unpaid accounts owing for contracted roadwork is resolved, all routine applications for permits for roadwork by this company be processed through the Government Management Committee.

Decision Advice and Other Information

The Government Management Committee received this report for information.

Motions

Motion to Receive Item moved by Councillor Cesar Palacio (Carried)

Links to Background Information

Report - Follow-up on Authority for City Solicitor to Recover Unpaid Amounts Owing for Contracted Road Work

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15440.pdf>

Meeting Sessions

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2008-09-17	Morning	9:40 AM	9:55 AM	Public
2008-09-17	Morning	10:00 AM	10:50 AM	Public

Attendance

Date and Time	Quorum	Members
2008-09-17 9:40 AM - 9:55 AM (Public Session)	Present	<i>Present:</i> Ainslie, Holyday, Jenkins, Lindsay Luby, Palacio, Saundercook
2008-09-17 10:00 AM - 10:50 AM (Public Session)	Present	<i>Present:</i> Ainslie, Holyday, Jenkins, Lindsay Luby, Palacio, Saundercook

Chair