
Government Management Committee

Meeting No.	14	Contact	Yvonne Davies, Committee Administrator
Meeting Date	Thursday, May 15, 2008	Phone	416-392-7443
Start Time	9:30 AM	E-mail	ydavies@toronto.ca
Location	Committee Room 1, City Hall		

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Location Committee Room 1, City Hall	

GM14.1	Adopted			Ward: All
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Request Authority for 2008 - 2009 Insurance Program Renewal

City Council Decision

City Council on May 26 and 27, 2008, adopted the following motions:

- The City renew the following insurance policies effective June 1, 2008, for a policy period of twelve months, as outlined below in Table 1, plus applicable Provincial taxes (and as detailed in Attachment 1):

Table 1
Expiring versus Renewal Insurance Policies

Insurance Policy	Renewal Premium (\$'s 12 Months Policy Term June1, 2007 to June 1, 2008	Renewal Premium (\$'s 12 Months Policy Term June1, 2008 to June 1, 2009
Primary Liability:		
Comprehensive General Liability	100,000	90,000
Public Officials E &O	100,000	90,000
Automobile	210,093	200,000
Garage Automobile	14,907	14,500
Medical Malpractice Liability	180,000	180,000

Insurance Policy	Renewal Premium (\$'s 12 Months Policy Term June1, 2007 to June 1, 2008	Renewal Premium (\$'s 12 Months Policy Term June1, 2008 to June 1, 2009
Umbrella & Excess Liability:		
Primary Umbrella	1,060,000	850,000
1 st Excess Liability	655,000	589,500
2 nd Excess Liability	151,750	136,575

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3 rd Excess Liability	262,500	236,250
4 th Excess Liability	148,750	133,875
5 th Excess Liability	136,000	122,400
Other Policies:		
Property	2,422,531	2,155,572
Boiler & Machinery	206,854	206,854
Crime	89,564	82,847
Aviation	26,368	26,368
Fiduciary Liability	60,000	57,000
Home Day Care Liability	59,902	50,000
Marine	219,224	208,014
TOTAL:	6,103,443	5,429,755

2. Authority be delegated to the Deputy City Manager and Chief Financial Officer to report directly to Council on any changes to the insurance renewal program recommended in this report which occur prior to June 1, 2008.
3. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

(May 1, 2008) Report from Deputy City Manager and Chief Financial Officer

Committee Recommendations

The Government Management Committee recommends that:

1. The City renew the following insurance policies effective June 1, 2008 for a policy period of twelve months, as outlined below in Table (1), plus applicable provincial taxes (and as detailed in Attachment 1):

Table (1)
Expiring versus Renewal Insurance Policies

Insurance Policy	Renewal Premium (\$'s 12 Months Policy Term June1, 2007 to June 1, 2008	Renewal Premium (\$'s 12 Months Policy Term June1, 2008 to June 1, 2009
Primary Liability:		
Comprehensive General Liability	100,000	90,000
Public Officials E &O	100,000	90,000
Automobile	210,093	200,000
Garage Automobile	14,907	14,500
Medical Malpractice Liability	180,000	180,000

Insurance Policy	Renewal Premium (\$'s 12 Months Policy Term June1, 2007 to June 1, 2008	Renewal Premium (\$'s 12 Months Policy Term June1, 2008 to June 1, 2009
Umbrella & Excess Liability:		
Primary Umbrella	1,060,000	850,000
1 st Excess Liability	655,000	589,500

Government Management Committee Report - Meeting No. 14
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2 nd Excess Liability	151,750	136,575
3 rd Excess Liability	262,500	236,250
4 th Excess Liability	148,750	133,875
5 th Excess Liability	136,000	122,400
Other Policies:		
Property	2,422,531	2,155,572
Boiler & Machinery	206,854	206,854
Crime	89,564	82,847
Aviation	26,368	26,368
Fiduciary Liability	60,000	57,000
Home Day Care Liability	59,902	50,000
Marine	219,224	208,014
TOTAL:	6,103,443	5,429,755

2. Authority be delegated to the Deputy City Manager and Chief Financial Officer to report directly to Council on any changes to the insurance renewal program recommended in this report which occur prior to June 1, 2008.
3. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

This report recommends renewal of the City's Primary & Excess Liability (i.e., Comprehensive General Liability, Public Officials E & O, Automobile and Garage Automobile), Medical Malpractice Liability, Property, Boiler & Machinery, Crime, Aviation, Fiduciary Liability, Home Day Care Liability and Marine insurance policies at an annual cost of \$5,429,755 plus applicable provincial taxes. This represents a significant reduction of \$673,688 or 11.0% from the total premium of \$6,103,443 paid for the expiring policies. The recommended insurance policies provide significant levels of financial protection for the City, e.g., unlimited accident benefits coverage under the auto policy (following the application of the applicable retention amount), \$500,000,000 property insurance limit covering City buildings, facilities, contents, equipment, etc., an overall limit of \$100,000,000 in liability insurance coverage.

Funding is provided from the City's Insurance Reserve Fund based on charges included in the 2008 Operating Budgets of City programs and participating agencies, boards and commissions plus contributions from the Non-Program account which were adjusted to reflect the recommendations included in the report. Given the reduction in the overall premium achieved for this renewal, a planned increased contribution may not be required from the Non-Program Budget in 2009.

Summary

The purpose of this report is to obtain Council authority to renew the City's property and casualty insurance policies effective June 1, 2008. The recommended renewal achieved a premium reduction of \$673,688 or 11% from the premium paid on the expiring policies while still maintaining the same coverage limits. This positive result is due to favourable insurance market conditions and successes in the City's risk management program.

Background Information (Committee)

Report - Request Authority for 2008 - 2009 Insurance Program Renewal
<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12762.pdf>

GM14.4	Adopted			Ward: All
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Toronto Civic Employees' Pension and Benefit Fund – Increase in Pensioner Benefits - Non-retroactive Adjustment for Full CPI Increases 1989-1993

City Council Decision

City Council on May 26 and 27, 2008, adopted the following motions:

1. Effective January 1, 2008, the benefits payable to eligible pensioners of the Toronto Civic Employees' Pension and Benefit Fund be increased non-retroactively to reflect 100% CPI increases for the years 1989-1993 inclusive.
2. The estimated cost of \$10.5 million be paid from the Fund's surplus which had a balance of \$164.4 million as at December 31, 2007.
3. By-law No. 380-74 of the former City of Toronto governing the Toronto Civic Employees' Pension and Benefit Fund, 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.

(April 14, 2008) Report from Treasurer

Committee Recommendations

The Government Management Committee recommends that:

1. Effective January 1, 2008, the benefits payable to eligible pensioners of the Toronto Civic Employees' Pension and Benefit Fund be increased non-retroactively to reflect 100% CPI increases for the years 1989-1993 inclusive.
2. The estimated cost of \$10.5 million be paid from the Fund's surplus which had a balance of \$164.4 million as at December 31, 2007.
3. By-Law No. 380-74 of the former City of Toronto governing the Toronto Civic Employees' Pension and Benefit Fund 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 recommended improvement is approximately \$10.5 million and is to be paid from the Fund's surplus. That surplus balance was \$164.4 million as at December 31, 2007 and there will be no cost to the City.

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

Summary

This report recommends a one-time increase in benefits for eligible pensioners of the Toronto Civic Employees' Pension & Benefit Fund in receipt of payments on January 1, 2008, to bring them up non-retroactively to the levels which would then have been in effect if the cost-of-living supplements for the years 1989 to 1993 had matched the increases in the Consumer Price Index (CPI).

The preliminary 2007 Actuarial Valuation results for the Fund presented to the Toronto Civic Employees' Pension Committee in February 2008 highlighted its continued strong financial position. The actuary has reported to the Committee the cost of the recommended increase to be approximately \$10.5 million. It is to be paid from the Fund's surplus which the Valuation indicated was \$164.4 million as at December 31, 2007.

Background Information (Committee)

Report - Toronto Civic Employees' Pension and Benefit Fund - Increase in Pensioner Benefits - Non-retroactive Adjustment for Full CPI Increases 1989-1993
(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12766.pdf>)

Declared Interests (City Council)

The following member(s) declared an interest:

Councillor Brian Ashton - declared an interest in that his father-in-law is a Member of the Toronto Civic Employees' Pension and Benefit Fund.

4a The Toronto Civic Employees' Pension and Benefit Fund – Possible Uses of Surplus

(April 22, 2008) Letter from The Toronto Civic Employees' Pension and Benefit Fund Committee

Summary

The Toronto Civic Employees' Pension and Benefit Fund Committee on February 21, 2008, considered a report (February 14, 2008) from the Fund's Actuary, Buck Consultants Limited, Based on an earlier request of providing a one-time increase for pensioners.

Background Information (Committee)

Letter - The Toronto Civic Employees' Pension and Benefit Fund -Possible Uses of Surplus
<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12767.pdf>

GM14.5	Adopted			Ward: All
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Metropolitan Toronto Police Benefit Fund Retirement Compensation Arrangement (RCA)

City Council Decision

City Council on May 26 and 27, 2008, adopted the following motions:

1. By-law No. 18-97 governing the Police Benefit Fund RCA be amended to delete the requirement that the RCA be entirely advance-funded as if it were a pension plan.
2. Any future inadequacy in the Police Benefit Fund RCA be dealt with on a pay-as-you-go basis.
3. Authority be granted for introduction of the appropriate Bill in Council to implement Part 1.
4. City staff be authorized to take all necessary steps to implement Parts 1 to 3.

(May 5, 2008) Report from Treasurer

Committee Recommendations

The Government Management Committee recommends that:

1. By-law No. 18-97 governing the Police Benefit Fund RCA be amended to delete the requirement that the RCA be entirely advance-funded as if it were a pension plan.
2. Any future inadequacy in the Police Benefit Fund RCA be dealt with on a pay-as-you-go basis.
3. Authority be granted for introduction of the appropriate Bill in Council to implement Recommendation (1).

4. City staff be authorized to take all necessary steps to implement Recommendations (1) to (3).

Financial Impact

There are no financial implications arising from this report. The Metropolitan Toronto Police Benefit Fund RCA has assets valued at \$1,047,000 and funding liabilities of \$1,195,000 as at December 31, 2006. The recommended change in the by-law would mean that further funding for the RCA would not be required this year and will not need to be addressed until the existing assets can no longer make the top-up payments.

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

Summary

This report seeks authority to amend the by-law governing the Retirement Compensation Arrangement (RCA) for the Metropolitan Toronto Police Benefit Fund so as to remove the requirement that the City must take immediate steps to eliminate any periodically-determined deficiency in the RCA's funding (i.e., its inadequacy to cover all eventual payments, even though there may be enough to cover payments for some considerable time into the future) as if it were a pension plan, and to adopt a "pay-as-you-go" approach as the most prudent and cost-effective way of providing the required top-up payments if the RCA ever nears exhaustion.

Background Information (Committee)

Report - Metropolitan Toronto Police Benefit Fund Retirement Compensation Arrangement (RCA)

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12768.pdf>)

GM14.8	Adopted			Ward: 8
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Amendment to Existing Lease Agreement between City of Toronto and Toronto Azzurri Soccer Club

City Council Decision

City Council on May 26 and 27, 2008, adopted the following motion:

1. Authority be granted to negotiate and execute an amendment to the current Lease Agreement between the City and the Toronto Azzurri Soccer Club, effective June 1, 2008, for the duration of the term expiring on December 31, 2025, in accordance with the amendments 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.

(April 24, 2008) Report from General Manager, Parks, Forestry and Recreation

Committee Recommendations

The Government Management Committee recommends that:

1. Authority be granted to negotiate and execute an amendment to the current Lease Agreement between the City and the Toronto Azzurri Soccer Club, effective June 1, 2008, for the duration of the term expiring on December 31, 2025, in accordance with the amendments 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 amend the existing Lease Agreement between the City of Toronto and the Toronto Azzurri Soccer Club (the Soccer Club) for the operation and construction of a soccer field and field house at the City's Keele Reservoir, municipally known as 4995 Keele Street. The amendments include increasing the size of the leased area, expanding the use to allow other sports, permitting the construction of a parking lot and setting field maintenance standards.

The Toronto Azzurri Soccer Club has requested amendments to the Lease Agreement entered into with the City in January 2006. To ensure that the City's interests are protected, Parks, Forestry and Recreation staff also wishes to make additional amendments to the Lease Agreement.

The existing Lease Agreement is net and carefree to the City and the City will not incur any expenses as a result of any proposed amendments to the existing Lease Agreement.

Background Information (Committee)

Report - Amendment to Existing Lease Agreement between City of Toronto and Toronto Azzurri Soccer Club

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12771.pdf>

GM14.9	Amended			Ward: 27
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Lease Extension for Old City Hall to Her Majesty the Queen in Right of Ontario as Represented by the Minister of Public Infrastructure Renewal

City Council Decision

City Council on May 26 and 27, 2008, adopted the following motions:

1. Council authorize entering into a Lease Extension and Amending Agreement with Ontario Realty Corporation (the “Tenant”), acting on behalf of Her Majesty the Queen in Right of Ontario as represented by the Minister of Public Infrastructure, to use and occupy 164,389.41 square feet of rentable area at 60 Queen Street West, (the “Premises”), including and incorporating the Lease Agreement dated October 15, 2003, for 430 square feet of office space, commencing on January 1, 2007, and expiring on December 31, 2016, substantially on the terms and conditions as set out in Appendix “A” and on such other terms and conditions as approved by the Chief Corporate Officer, or his or her designate, and in a form and content acceptable to the City Solicitor.
2. The Chief Corporate Officer be authorized to administer and manage the Lease Extension Agreement, including the provision of any consents, approvals, notices and notices of termination, provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.
3. The City give notice to the Province of Ontario that the lease of Old City Hall will not be extended or renewed beyond December 31, 2016.
4. The Chief Corporate Officer, in consultation with the General Manager, Economic Development, Culture and Tourism, be requested to report to the Government Management Committee, within one year, on potential uses for Old City Hall.

(April 10, 2008) Report from Chief Corporate Officer

Committee Recommendations

The Government Management Committee recommends that:

1. Council authorize entering into a Lease Extension and Amending Agreement with Ontario Realty Corporation (the “Tenant”), acting on behalf of Her Majesty the Queen in right of Ontario as represented by the Minister of Public Infrastructure, to use and occupy 164,389.41 square feet of rentable area at 60 Queen Street West, (the “Premises”), including and incorporating the Lease Agreement dated October 15th 2003 for 430 square feet of office space, commencing on January 1st, 2007 and expiring on December 31st, 2016, substantially on the terms and conditions as set out in Appendix “A” and on such other terms and conditions as approved by the Chief Corporate Officer, or his or her designate, and in a form and content acceptable to the City Solicitor.

2. The Chief Corporate Officer be authorized to administer and manage the Lease Extension 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 proposed agreement is for a base rent of \$34.96 per square foot of rentable area (164,389.41 square feet), for a total of \$5,747,053.78 per year for the ten (10) year term, commencing retroactively on January 1, 2007. The base rent will be adjusted upwards annually in accordance with any increases in the Consumer Price Index. Throughout the Term, the Tenant will also be responsible for additional rent for maintenance, janitorial and maintenance costs, which is estimated at \$14.20 per square foot of maintainable area (186,090.35 square feet), and will be adjusted annually in accordance with the actual costs. Therefore, the proposed total annual rent is \$8,389,536.75, or \$51.04 gross per square foot of rentable area, subject to applicable adjustments.

The Old City Hall lease revenues are part of the Facilities and Real Estate annualized operating budgets. While the 2007 and 2008 Operating -Budgets were based on the previous lease agreements, the future year operating budget submissions will include revenues based on the proposed Lease.

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

Summary

The purpose of this report is to obtain authority to enter into a Lease Renewal Agreement with Ontario Realty Corporation, acting as agent on behalf of Her Majesty the Queen in right of Ontario as represented by the Minister of Public Infrastructure Renewal, for the extension of the lease at 60 Queen Street West. The proposed Lease Renewal is for a ten (10) year term, commencing retroactively on January 1st, 2007

Background Information (Committee)

Report - Lease Extension for Old City Hall to Her Majesty the Queen in Right of Ontario as Represented by the Minister of Public Infrastructure Renewal

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12772.pdf>)

Appendix A - GM14-9

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12773.pdf>)

Appendix B - GM14-9

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12774.pdf>)

GM14.10	Adopted			Ward: 19
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Leasing 35 Strachan Avenue to The Furniture Bank and Eva's Initiatives

City Council Decision

City Council on May 26 and 27, 2008, adopted the following motions:

1. City Council authorize the Chief Corporate Officer to enter into a Below Market Rent tenancy agreement with The Furniture Bank, for a five (5) year term, with the option to renew for one five-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 Officer, and in a form acceptable to the City Solicitor.
2. City Council authorize the Chief Corporate Officer to enter into a Below Market Rent tenancy agreement with Eva's Initiatives, for a five (5) year term, with the option to renew for one five-year term and based on the terms and conditions set out in the attached Appendix "B", and other terms and conditions acceptable to the Chief Corporate Officer, and in a form acceptable to the City Solicitor.
3. City Council authorize the Chief Corporate Officer to administer and manage the lease agreements including the provision of any consents, approvals, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.

(April 30, 2008) Report from Chief Corporate Officer

Committee Recommendations

The Government Management Committee recommends that City Council:

1. Authorize the Chief Corporate Officer to enter into a Below Market Rent tenancy agreement with The Furniture Bank, for a five (5) year term, with the option to renew for one five-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 Officer, and in a form acceptable to the City Solicitor.
2. Authorize the Chief Corporate Officer to enter into a Below Market Rent tenancy agreement with Eva's Initiatives, for a five (5) year term, with the option to renew for one five-year term and based on the terms and conditions set out in the attached Appendix "B", and other terms and conditions acceptable to the Chief Corporate Officer, and in a form acceptable to the City Solicitor.
3. Authorize the Chief Corporate Officer to administer and manage the lease agreements including the provision of any consents, approvals, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such

matters (including their content) to City Council for its determination and direction.

Financial Impact

The proposed leases will have no cost to the City. All operating and capital costs related to the building occupancy will be paid by the tenants. In accordance with the City's Below Market Rent Policy (BMR), the opportunity costs of entering into the BMR term must be determined and as a result, the total opportunity costs for both leases, assuming a full ten year tenancy, are estimated to be \$1,466,000.

The Deputy City Manager & 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 new Below Market Rent (BMR) lease agreements with two Community groups, Furniture Bank and Eva's Initiatives, at 35 Strachan Avenue. The proposed tenancy is for a term of five years commencing June 1, 2008 with one five-year renewal option. The Tenants would take full responsibility for all operating and capital costs, and would maintain the property in a state of good repair.

The subject property is an old Police vehicle maintenance garage that is slated for demolition should the Front Street extension proceed.

Both The Furniture Bank and Eva's Initiatives are existing BMR tenants. The Furniture Bank is being required to relocate due to a City decision to convert their existing facilities at 200 Madison Avenue for new affordable housing, while Eva's Initiatives is expanding their programs at their location in the adjacent building next door.

Background Information (Committee)

Report - Leasing 35 Strachan Avenue to The Furniture Bank and Eva's Initiatives

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12775.pdf>)

Schedule A - GM14-10

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12776.pdf>)

Schedule B - GM14-10

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12777.pdf>)

Schedule A Attachment - GM14-10

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12778.pdf>)

Schedule B Attachment - GM14-10

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12779.pdf>)

Schedule C - GM14-10

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12780.pdf>)

GM14.11	Amended			Ward: 18
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Grant of Permanent Easement(s) to the Canadian National Railway Company and the Canadian Pacific Railway in a Portion of the Former CP Spur Lead

City Council Decision

City Council on May 26 and 27, 2008, adopted the following motion:

1. City Council grant authority to enter into permanent easement(s) agreement with CN and CPR for the relocation of fibre optic and communication cable devices on City-owned lands shown as Parts 1 to 8 on Sketch No. PS-2006-096a (the "Property"), as shown on Appendix "B" and substantially on the terms and conditions outlined in Appendix "A" and on such further terms as may be acceptable to the Chief Corporate Officer and in a form satisfactory to the City Solicitor, subject to the railways agreeing to remove graffiti from this underpass in a timely manner and to abide by Municipal Licensing and Standards issued work orders related to this property.

(April 25, 2008) Report from Chief Corporate Officer

Committee Recommendations

The Government Management Committee recommends that:

1. City Council grant authority to enter into permanent easement(s) agreement with CN and CPR for the relocation of fibre optic and communication cable devices on City-owned lands shown as Parts 1 to 8 on Sketch No. PS-2006-096a (the "Property"), as shown on Appendix "B" and substantially on the terms and conditions outlined in Appendix "A" and on such further terms as may be acceptable to the Chief Corporate Officer and in a form satisfactory to the City Solicitor.

Financial Impact

Revenue in the amount of \$55,700.00, an administration fee of \$500.00 and a title registration fee of \$70.70, plus any applicable GST is anticipated.

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

Summary

The purpose of this report is to obtain authority to grant easement(s) to the Canadian National Railway Company ("CN") and the Canadian Pacific Railway ("CPR") for the installation, access and maintenance of fibre optic and communication cable devices required in connection to the proposed rail-to-rail grade separation near Dupont and Dundas Streets on City-owned lands shown as Parts 1 to 8 on Sketch No. PS-2007-096a. The proposed easement in favour of CN and CPR would be substantially on the terms and conditions outlined in Appendix "A" to

this report.

Background Information (Committee)

Report - Grant of Permanent Easement(s) to the Canadian National Railway Company and the Canadian Pacific Railway in a Portion of the Former CP Spur Lead

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12781.pdf>)

Appendix A - GM14-11

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12782.pdf>)

Appendix B - GM14-11

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12783.pdf>)

GM14.12	Adopted			Ward: 29
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Easement Agreement / Grant of Right of Way Affecting the South Side of Carpark No. 78 (35 Erindale Avenue)

City Council Decision

City Council on May 26 and 27, 2008, adopted the following motions:

1. City Council authorize the granting of a temporary easement in the nature of a Right-of-Way ("ROW") to 180 Danforth Inc. for lands on the south flank of Carpark No. 78 (35 Erindale Avenue), as illustrated on the attached Survey, with the following terms:
 - i. term of 30 years;
 - ii. right of early termination by either party upon redevelopment of the 180 Danforth Avenue site;
 - iii. the ROW will be granted for the sum of \$50,000;
 - iv. the ROW will have dimensions of approximately 18 metres in length with a width of 2.6 metres and be stratified in height extending from grade level to 4 metres above grade; and
 - v. the ROW is for non-exclusive use of the easement lands for the manoeuvring of vehicles and does not allow the use of the easement lands for storage of any items, including vehicles.

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

(May 1, 2008) Report from President, Toronto Parking Authority

Committee Recommendations

The Government Management Committee recommends that:

1. City Council authorize the granting of a temporary easement in the nature of a Right of Way (“ROW”) to 180 Danforth Inc. for lands on the south flank of Carpark No. 78 (35 Erindale Avenue), as illustrated on the attached Survey, with the following terms:
 - (i) term of 30 years;
 - (ii) right of early termination by either party upon redevelopment of the 180 Danforth Avenue site;
 - (iii) the ROW will be granted for the sum of \$50,000;
 - (iv) the ROW will have dimensions of approximately 18m in length with a width of 2.6m and be stratified in height extending from grade level to 4m above grade; and
 - (v) the ROW is for non-exclusive use of the easement lands for the manoeuvring of vehicles and does not allow the use of the easement lands for storage of any items, including vehicles.

2. The appropriate City Officials be authorized and directed to take the actions necessary to give effect thereto.

Financial Impact

The \$50,000 additional revenue will be accounted for in the 2008 approved Operating Budget.

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

Summary

The purpose of this report is to obtain City Council approval for the granting of an easement to 180 Danforth Inc., for the purpose of vehicular access to and egress from a portion of City-owned property which is operated under the Toronto Parking Authority. The Property Management Committee has reviewed this matter and concurred, the proposed easement lands have been declared surplus pursuant to a Delegated Approval Form Tracking No. 2008-022.

Background Information (Committee)

Report - Easement Agreement / Grant of Right of Way affecting the south side of Carpark No. 78 (35 Erindale Avenue)

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12784.pdf>)

Location Map - GM14-12

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12785.pdf>)

Survey - GM14-12

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12786.pdf>)

GM14.13	Adopted			Ward: 1
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Acquisition of 6 and 8 Barkwin Drive

City Council Decision

City Council on May 26 and 27, 2008, adopted the following motions:

1. City Council authorize the acquisition of 6 and 8 Barkwin Drive (refer to attached Location Map) from Gladwood Homes Limited for a purchase price of \$465,000 plus the expenditure of an additional \$250,000 for construction and associated costs, such as land transfer tax, survey, environmental studies, legal and brokerage fees, for a total cost of \$715,000.
2. City Council approve reallocation of Capital funds provided in the 2008 Capital Budget from the King E. of Spadina – Revitalization project (Captor Number TPA906837 and SAP Number CPK082) to the Barkwin & Islington project (Captor Number TPA907299 and SAP Number CPK132) in the amount of \$715,000, in order to facilitate the purchase and construction of the carpark.
3. City Council approve the enactment of a special levy (Benefiting Assessment) defined as a Local Improvement Charge under Ontario Regulation 596/06, pursuant to the City of Toronto Act, 2006, to be levied against the benefiting BIA commercial property owners.
4. Upon acquisition, the purchased lands be designated for municipal parking purposes, to be managed by the Toronto Parking Authority (TPA).
5. The City Solicitor be authorized to complete the purchase transaction, deliver any notices, pay any expenses and amend the closing and other dates to such earlier or later date(s), on such terms and conditions, as she may, from time to time, determine.
6. The appropriate City Officials be authorized to take the actions necessary to give effect thereto.
7. City Council authorize the public release of the confidential information in Attachment 1, if Council approves the acquisition and the transaction is completed to the satisfaction of the City Solicitor.

Confidential Attachment 1 to the report (May 1, 2008) from the President, Toronto Parking Authority, remains confidential in its entirety, at this time, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to a proposed or pending acquisition or sale of land for municipal or local board purposes. Confidential Attachment 1 will be made public when the transaction has been completed to the satisfaction of the City Solicitor.

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

(May 1, 2008) Report from President, Toronto Parking Authority

Committee Recommendations

The Government Management Committee recommends that:

1. City Council authorize the acquisition of 6 and 8 Barkwin Drive (refer to attached Location Map) from Gladwood Homes Limited for a purchase price of \$465,000 plus the expenditure of an additional \$250,000 for construction and associated costs such as land transfer tax, survey, environmental studies, legal and brokerage fees for a total cost of \$715,000.
2. City Council approve reallocation of capital funds provided in the 2008 Capital Budget from the King E. of Spadina – Revitalization project (Captor Number TPA906837 and SAP Number CPK082) to the Barkwin & Islington project (Captor Number TPA907299 and SAP Number CPK132) in the amount of \$715,000 in order to facilitate the purchase and construction of the carpark.
3. City Council approve the enactment of a special levy (Benefiting Assessment) defined as a Local Improvement Charge under Ontario Regulation 596/06 pursuant to the City of Toronto Act to be levied against the benefiting BIA commercial property owners.
4. Upon acquisition, the purchased lands be designated for municipal parking purposes, to be managed by the TPA.
5. The City Solicitor be authorized to complete the purchase transaction, deliver any notices, pay any expenses and amend the closing and other dates to such earlier or later date(s), on such terms and conditions, as she may, from time to time, determine.
6. The appropriate City Officials be authorized to take the actions necessary to give effect thereto.
7. City Council authorize the public release of the confidential information in Attachment 1, if Council approves the acquisition and the transaction is completed to the satisfaction of the City Solicitor.

Financial Impact

No funds were provided in the 2008 Capital Budget. We will reduce the 2008 Capital Budget for King E. of Spadina – Revitalization project (Captor Number TPA906837 and SAP Number CPK082) by \$715,000 in order to fund the cost of acquisition and development of the Barkwin & Islington project (Captor Number TPA907299 and SAP Number CPK132). The construction component of the Barkwin & Islington project will be no more than \$250,000 and will be recovered by way of a Benefiting Assessment.

We have retained the services of an independent appraisal firm to ascertain the value of the subject property. According to the report, the TPA's purchase price for the property is considered fair, reasonable and reflective of fair market value.

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

Summary

The purpose of this report is to obtain the City's approval to purchase a property municipally known as 6 and 8 Barkwin Drive, to construct and operate a 22 space surface parking facility to service the short term parking needs in the area, on the terms and conditions outlined in the body of this report.

Background Information (Committee)

Report - Acquisition of 6 and 8 Barkwin Drive

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12787.pdf>)

Confidential Attachment 1 - GM14-13

GM14.14	Adopted			
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Authority for City Solicitor to Recover Accommodation Cost Arrears Owing to Homes for the Aged

City Council Decision

City Council on May 26 and 27, 2008, adopted the following motions:

1. Council authorize the commencement of litigation against C.W. and/or C.D. to recover outstanding accommodation costs in the amount of \$16,158.86 (as of April 4, 2008), plus \$2,091.45 per month until the date of judgement, plus interest and costs, and to grant authority to appeal any decision where warranted, to discontinue or to settle the action or claim where it is concluded that it is reasonable to do so (including authority to effect a write off of any amounts as necessary), and to execute any documents in furtherance hereto, all in consultation with the General Manager, Toronto Homes for the Aged, or her designate.
2. The appropriate City officials be authorized and directed to take the necessary action to give effect hereto.

(April 15, 2008) Report from City Solicitor

Committee Recommendations

The Government Management Committee recommends that:

1. Council authorize the commencement of litigation against C.W. and/or C.D. to recover

outstanding accommodation costs in the amount of \$16,158.86 (as of April 4, 2008), plus \$2,091.45 per month until the date of judgement, plus interest and costs, and to grant authority to appeal any decision where warranted, to discontinue or to settle the action or claim where it is concluded that it is reasonable to do so (including authority to effect a write off of any amounts as necessary), and to execute any documents in furtherance hereto, all in consultation with the General Manager, Toronto Homes for the Aged, or her designate.

2. The appropriate City Officials be authorized and directed to take the necessary action to give effect hereto.

Financial Impact

The Recommendations will have no financial impact beyond what has already been approved in the current year's budget

Summary

This report is to obtain authority to initiate litigation against C.W. and/or C.D. to recover outstanding accommodation costs owing to the City of Toronto (Homes for the Aged Division) in the amount of \$16,158.86 (as of April 4, 2008), plus \$2,091.45 per month until the date of judgement, plus interest and costs.

Background Information (Committee)

Report - Authority for City Solicitor to Recover Accommodation Cost Arrears owing to Homes for the Aged

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-12789.pdf>

Submitted Thursday, May 15, 2008

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