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## Government Management Committee

<b>Meeting No.</b>	15	<b>Contact</b>	Yvonne Davies, Committee Administrator
<b>Meeting Date</b>	Friday, June 13, 2008	<b>Phone</b>	416-392-7443
<b>Start Time</b>	9:30 AM	<b>E-mail</b>	ydavies@toronto.ca
<b>Location</b>	Committee Room 1, City Hall		

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## Government Management Committee

<b>Meeting No.</b>	15	<b>Contact</b>	Yvonne Davies, Committee Administrator
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<b>Start Time</b>	9:30 AM	<b>E-mail</b>	ydavies@toronto.ca
<b>Location</b>	Committee Room 1, City Hall		

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

#### **City Council Decision**

City Council on June 23 and 24, 2008, adopted the following motion:

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

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(May 2, 2008) Letter from City Clerk

#### **Committee Recommendations**

The Government Management Committee recommends that:

1. Authority be granted to negotiate and enter into a Sub-Lease Agreement for a term of

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

### Financial Impact

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

### Summary

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

### Background Information (Committee)

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

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

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

### City Council Decision

City Council on June 23 and 24, 2008, adopted the following motions:

1. The 2007 Actuarial Report for the Metropolitan Toronto Pension Plan be received.
2. An increase of 2.14% be granted on pensions, effective January 1, 2008, to pensioners on benefit for more than one year and a proportionate increase of 0.178% for each month of pension payment made in 2007 be granted for pensioners who retired during 2007.
3. By-law No. 15-92 of the former Metropolitan Corporation governing the Metropolitan Toronto Pension Plan as amended to date, be further amended accordingly and authority

be granted to introduce the necessary bill in Council.

4. The appropriate City officials be authorized to take the necessary action to give effect to the foregoing recommendations.

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(May 14, 2008) Report from Treasurer

### **Committee Recommendations**

The Government Management Committee recommends that:

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

### **Financial Impact**

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

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

### **Summary**

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

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

### **Background Information (Committee)**

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

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

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

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

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

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

### **Summary**

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

### **Background Information (Committee)**

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

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

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

### **City Council Decision**

City Council on June 23 and 24, 2008, adopted the following motions:

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

(May 29, 2008) Report from Treasurer

### **Committee Recommendations**

The Government Management Committee recommends that:

Government Management Committee Report - Meeting No. 15  
 Considered by City Council on June 23 and 24, 2008

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

### Financial Impact

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

However, penalty and interest will continue to accrue on the tax account until the full cancellation price is paid. If the cancellation price is not paid by the recommended extended redemption date of July 31, 2009, the Treasurer will proceed to a sale of the property through a public tender, with the minimum tender amount being equal to all outstanding taxes, penalty/interest, and costs. If the tax sale is unsuccessful, the City will have two years to determine if it wants to take ownership of the property.

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

### Summary

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

### Background Information (Committee)

Report - 23 Brydon Drive - Tax Sale Extension Agreement

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

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

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

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

#### City Council Decision

City Council on June 23 and 24, 2008, adopted the following motions:

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

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(May 28, 2008) Report from Treasurer

### **Committee Recommendations**

The Government Management recommends that:

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

### **Financial Impact**

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

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

Budget, Non-Program account entitled “Assessment Function”.

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

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

### Summary

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

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

### Background Information (Committee)

Report - Approval to Initiate and Participate in Assessment Appeals

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

Appendix A - Appeals Initiated by the Treasurer

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

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

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

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

#### City Council Decision

City Council on June 23 and 24, 2008, adopted the following motions:

1. The individual tax appeal applications made pursuant to section 323 of the City of Toronto Act, 2006, resulting in tax reductions totalling \$383,520.63, including reductions in Business Improvements Area charges and excluding phase-in/capping adjustments, as identified in Appendix A, be approved.
2. The individual tax appeal applications made pursuant to section 325 of the City of Toronto Act, 2006, resulting in tax reductions totalling \$32,324.12, including reductions



in Business Improvements Area charges and excluding phase-in/capping adjustments, as identified in Appendix B, be approved.

*Statutory - City of Toronto Act, 2006*

(May 16, 2008) Report from Treasurer

### **Committee Recommendations**

The Government Management Committee recommends that:

1. The individual tax appeal applications made pursuant to section 323 of the City of Toronto Act, 2006 resulting in tax reductions totalling \$383,520.63, including reductions in Business Improvements Area charges and excluding phase-in/capping adjustments, as identified in Appendix A, be approved.
2. The individual tax appeal applications made pursuant to section 325 of the City of Toronto Act, 2006 resulting in tax reductions totalling \$32,324.12 including reductions in Business Improvements Area charges and excluding phase-in/capping adjustments, as identified in Appendix B, be approved.

### **Committee Decision Advice and Other Information**

The Government Management Committee held a statutory hearing on Friday, June 13, 2008, in accordance with the *City of Toronto Act, 2006*. No one appeared before the Committee.

### **Financial Impact**

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

Table 1: Tax Appeals Summary

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

The City's share of \$267,445.40 will be funded from the 2008 Tax Deficiency Account (Non-Program Budget). The education share of \$147,889.22 will be recovered from the province/school boards, and the Business Improvement Area (BIA) reductions of \$510.13 will be funded from the respective BIA provision.

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

## Summary

This report deals with tax appeal applications made to the Treasurer pursuant to sections 323 and 325 of the City of Toronto Act, 2006 (COTA). Section 323 permits Council to cancel, reduce or refund taxes in cases when, during the year, a property undergoes changes such as when it is destroyed by fire or demolished, becomes exempt from taxation, or is reclassified due to a change in its use. Under section 325 of the COTA, taxpayers can request a cancellation, reduction or refund of taxes when an error in the assessment roll is identified which results in an overcharge.

The legislation requires Council to hold a public meeting where the applicants may make submission in defence of their position. Council has delegated authority to hold such public meetings to the Government Management Committee.

Staff have mailed Notices of Hearing to affected taxpayers and recommend approval of the applications as listed in Appendices A and B.

## Background Information (Committee)

Report - Cancellation, Reduction or Refund of Property Taxes - June 2008 Hearing  
<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-13521.pdf>

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

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

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

### City Council Decision

City Council on June 23 and 24, 2008, adopted the following motions:

1. City Council authorize an MOU with the Ontario Realty Corporation (ORC) regarding the sale of a portion of the Westwood property generally on the terms set out in the confidential attachment, on the basis that the City and ORC can agree on the exact size of the parcel to be sold and on such other terms as are acceptable to the Chief Corporate Officer.
2. City Council authorize the public release of the confidential information and Recommendations in Attachment 1, if a transaction with ORC is closed.
3. Staff be directed to negotiate an agreement of purchase and sale in respect of the subject lands with ORC on the basis set out in the MOU and report on the proposed terms of the transaction to the Government Management Committee and City Council for

approval.

4. City Council exempt only the lands south of the planned extension of Dundas Street through the Westwood property, as shown on the revised Attachment 2, from the Housing First Policy, and the Housing First Policy continue to be applicable to the remaining Westwood property.
5. City Council authorize the Director of Real Estate Services to sign and consent on behalf of the City to applications for planning approvals by ORC, as required, for the development of a portion of the City's Westwood lands, including applications for minor variance, for the removal of Holding category in the zoning of the property, for site plan approval and /or building permits.
6. Staff report back on cost estimates to undertake the development of the Westwood property in accordance with the MOU and on the terms of the required development/servicing agreement and potential financial implications to the City.

Confidential Attachment 1 to the report (May 29, 2008) from the Chief Corporate Officer, remains confidential in its entirety, at this time, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to a proposed or pending acquisition or sale of land for municipal or local board purposes. The confidential information and recommendations contained in Confidential Attachment 1 will be made public if a transaction with the Ontario Realty Corporation is closed.

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

(May 29, 2008) Report from Chief Corporate Officer

**Committee Recommendations**

The Government Management Committee recommends that:

1. City Council authorize an MOU with the Ontario Realty Corporation (ORC) regarding the sale of a portion of the Westwood property generally on the terms set out in the confidential attachment on the basis that the City and ORC and agree on the exact size of the parcel to be sold and on such other terms as are acceptable to the Chief Corporate Officer.
2. City Council authorize the public release of the confidential information and recommendations in Attachment 1, if a transaction with ORC is closed.
3. Staff be directed to negotiate an agreement of purchase and sale in respect of the subject lands with ORC on the basis set out in the MOU and report on the proposed terms of the transaction to Government Management Committee and City Council for approval.
4. City Council exempt the lands south of the planned extension of Dundas Street through

the Westwood property, as shown on Attachment 2, from the Housing First Policy.

5. City Council authorize the Director of Real Estate Services to sign and consent on behalf of the City to applications for planning approvals by ORC, as required, for the development of a portion of the City's Westwood lands, including applications for minor variance, for the removal of Holding category in the zoning of the property, for site plan approval and /or building permits.
6. Staff report back on cost estimates to undertake the development of the Westwood property in accordance with the MOU and on the terms of the required development/servicing agreement and potential financial implications to the City.

### **Financial Impact**

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

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

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

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

### **Summary**

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

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

set out in the confidential attachment.

### **Background Information (Committee)**

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

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

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

Attachment 2 - Westwood Development Concept Map

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

### **Background Information (City Council)**

Revised Attachment 2 - Westwood Development Concept Map

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14456.pdf>)

### **Speakers (Committee)**

Councillor Peter Milczyn

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

### **City Council Decision**

City Council on June 23 and 24, 2008, adopted the following motions:

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

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

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(May 29, 2008) Report from Chief Corporate Officer

### **Committee Recommendations**

The Government Management Committee recommends that:

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

### **Financial Impact**

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

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

### **Summary**

This report seeks approval for the expropriation of temporary easements over portions of 4600

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

### **Background Information (Committee)**

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

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

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

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

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

#### **City Council Decision**

City Council on June 23 and 24, 2008, adopted the following motions:

1. City Council adopt the confidential recommendations to staff in Attachment 1.
2. City Council authorize the public release of the confidential information in Attachment 1 pertaining solely to the purchase price and deposit, upon City Council’s adoption of the Recommendations in this report.
3. The Offer to Sell from the owner of the “Property” be accepted substantially on the terms outlined in Appendix “A” and the Confidential Attachment 1 to this report, and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept the Offer on behalf of the City.
4. The City Solicitor be authorized to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as she considers reasonable.
5. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The following purchase price and deposit contained in Confidential Attachment 1 to the report (May 29, 2008) from the Chief Corporate Officer, are now public. The balance of Confidential Attachment 1 remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to a proposed or pending acquisition or sale of land for municipal or local board purposes:

Purchase Price:       \$650,000.00  
Deposit:               \$10.00

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

(May 29, 2008) Report from Chief Corporate Officer

**Committee Recommendations**

The Government Management Committee recommends that:

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

**Financial Impact**

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

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

**Summary**

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



through the proposed redevelopment.

### **Background Information (Committee)**

Report - Potential Acquisition of 0 Cordova Avenue

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

Confidential Attachment 1 - Potential Acquisition of 0 Cordova Avenue

Site Maps - Potential Acquisition of 0 Cordova Avenue

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

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

#### **City Council Decision**

City Council on June 23 and 24, 2008, adopted the following motions:

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

6. The City Solicitor be authorized to introduce any necessary bills to give effect thereto.
7. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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(May 6, 2008) Report from City Solicitor

### **Committee Recommendations**

The Government Management Committee recommends that:

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

### **Financial Impact**

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

## **Summary**

This report seeks to: (1) obtain standing authority for the City Solicitor, subject to the terms set out in this report, to commence, settle or terminate legal action to recover monies owing to the City of Toronto, where the amount sought to be recovered, exclusive of any interest or costs, is \$500,000.00 or less; and (2) obtain ratification of any legal action taken to date by the City Solicitor to which this authority would otherwise apply.

## **Background Information (Committee)**

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

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

*Submitted Friday, June 13, 2008*

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