
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

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Government Management Committee

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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		

GM17.1	Adopted			Ward: 43
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Guild Revitalization Next Steps

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motion:

1. City Council 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.

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

Committee Recommendations

The Government Management Committee recommends 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.

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”).

Background Information (Committee)

Report - Guild Revitalization Next Steps
<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15404.pdf>

GM17.3	Adopted			Ward: All
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Metropolitan Toronto Pension Plan – Interest on Minimum Pension Increase

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

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.

(September 3, 2008) Report from Treasurer

Committee Recommendations

The Government Management Committee 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.

Background Information (Committee)

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

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.

Background Information (Committee)

Letter - GM17.3

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

GM17.4	Adopted			Ward: All
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Cancellation, Reduction or Refund of Property Taxes – September 2008 Hearing

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council 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

Government Management Committee Report - Meeting No. 17
 Considered by City Council on September 24 and 25, 2008

					TOTAL	\$0.00

2. City Council 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.

Statutory - City of Toronto Act, 2006

(August 25, 2008) Report from Treasurer

Committee Recommendations

The Government Management Committee recommends 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.

Committee 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.

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.

Background Information (Committee)

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	Adopted			Ward: All
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Apportionment of Property Taxes – September 2008 Hearing

City Council Decision

Government Management Committee Report - Meeting No. 17
 Considered by City Council on September 24 and 25, 2008

City Council on September 24 and 25, 2008, adopted the following motions:

1. City 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.
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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. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto.

Statutory - City of Toronto Act, 2006

(August 25, 2008) Report from Treasurer

Committee Recommendations

The Government Management Committee recommends 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	Original Roll	Tax Roll No. for	Tax	Ward No.
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Government Management Committee Report - Meeting No. 17
 Considered by City Council on September 24 and 25, 2008

	Year	Number	Apportioned Properties	Apportionment	
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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.

Committee 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*.

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.

Background Information (Committee)

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>

Communications (Committee)

(September 15, 2008) memo from Giuliana Carbone, Director, Revenue Services (GM.New.GM17.5a)
<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-8398.pdf>

Speakers (Committee)

Deborah Friesen
 Cindy Reid

GM17.6	Adopted			Ward: 23
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Tax Relief for Veteran's Memorial Homes Owned by the Canadian Legion (Toronto) Homes

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City 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. 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.

(September 2, 2008) Report from Treasurer

Committee Recommendations

The Government Management Committee 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.

Background Information (Committee)

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>)

Declared Interests (Committee)

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.

GM17.7	Adopted			Ward: 27
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112 Elizabeth Street – Designation of a Portion of Premises as a

Municipal Capital Facility

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City 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.

(August 29, 2008) Report from Treasurer

Committee Recommendations

The Government Management Committee 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.

Background Information (Committee)

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>)

GM17.9	Adopted			Ward: 5
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Statutory Offer of Compensation - Expropriation of 5341 Dundas Street West Kipling Redevelopment Initiative

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council 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. City Council 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.

(September 3, 2008) Report from Chief Corporate Officer

Committee Recommendations

The Government Management Committee recommends 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.

- 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*.

Background Information (Committee)

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>

GM17.12	Adopted			Ward: 2
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Lease Renewal of 321 Rexdale Blvd Unit # 3 for Approximately 4,256 Square Feet for EMS for Use as an Ambulance Station

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

- City Council 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.

(August 28, 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 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.

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.

Background Information (Committee)

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	Adopted			Ward: 23
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Lease Renewal at 255 Finch Avenue West For Approximately 21,770 Square Feet For Children's Services – Child Care Centre

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council 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 Officer and in a form acceptable to the City Solicitor.
2. City Council 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.

(August 28, 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 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.

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.

Background Information (Committee)

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	Adopted			Ward: 23
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Lease Agreement at 5151 Yonge Street

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City 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. City Council 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.

(August 29, 2008) Report from Chief Corporate Officer

Committee Recommendations

The Government Management Committee recommends 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.

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.

Background Information (Committee)

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>)

GM17.16	Adopted			Ward: 22
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Acquisition of Portion of 95 St. Clair Avenue West

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council 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. City Council 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. City Council 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. 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.

Confidential Attachment 1 to the report (August 27, 2008) from the Chief Corporate Officer, remains confidential, 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 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.

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

Committee Recommendations

The Government Management Committee recommends 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.

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.

Background Information (Committee)

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	Adopted			Ward: All
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Litigation Regarding Construction of 43 Division

City Council Decision

City Council on September 24 and 25, 2008, adopted the following motion:

1. City Council direct that all steps taken to date by the City Solicitor be ratified, and that she be authorized 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.

Confidential Attachment 1 to the report (August 18, 2008) from the City Solicitor, remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

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

Committee Recommendations

The Government Management Committee recommends 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.

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.

Background Information (Committee)

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

Submitted Wednesday, September 17, 2008

Deputy Speaker Gloria Lindsay Luby, Chair, Government Management Committee