
Government Management Committee

Meeting No.	24	Contact	Patsy Morris, Committee Administrator
Meeting Date	Thursday, June 25, 2009	Phone	416-392-9151
Start Time	9:30 AM	E-mail	gmc@toronto.ca
Location	Committee Room 1, City Hall	Chair	Councillor Gloria Lindsay Luby

Government Management Committee		
Councillor Gloria Lindsay Luby, Chair Councillor Bill Saundercook, Vice-Chair	Councillor Michael Del Grande Councillor Adrian Heaps	Councillor Doug Holyday Councillor Pam McConnell

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Declarations of Interest under the *Municipal Conflict of Interest Act*

Speakers/Presentations – A complete list will be distributed at the meeting.

Confirmation of Minutes – May 12, 2009**Communications/Reports**

GM24.1	ACTION	10:00 AM		Ward: All
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Cancellation, Reduction or Refund of Property Taxes – June 25, 2009 Hearing

Statutory - City of Toronto Act, 2006

Origin

(June 10, 2009) Report from the Acting Treasurer

Recommendations

The Acting Treasurer recommends that:

1. The individual tax appeal applications made pursuant to section 323 of the City of Toronto Act, 2006 resulting in tax reductions (excluding phase-in/capping amounts) totalling \$1,117,053.92 including reductions in Business Improvements Area charges, 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 (excluding phase-in/capping adjustments) totalling \$184,132.84, as identified in Appendix B, be approved.
3. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Summary

This report deals with tax appeal applications made to the Acting 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 a 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 advising of the upcoming hearing before the Government Management Committee.

Financial Impact

The financial impact of approving the individual tax appeal applications (excluding phase-in/capping adjustments), as identified in the attached Appendices A and B, 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	76	\$1,117,053.92	\$677,565.55	\$429,922.45	\$9,565.92
B	13	\$184,132.84	\$157,384.87	\$26,747.97	\$0.00
Total	89	\$1,301,186.76	\$834,950.42	\$456,670.42	\$9,565.92

The City's share of \$834,950.42 will be funded from the 2009 Tax Deficiency Account (Non-Program Budget). The education share of \$456,670.42 will be recovered from the province/school boards, and the Business Improvement Area (BIA) reductions of \$9,565.92 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.

Background Information

Cancellation, Reduction or Refund of Property Taxes - June 25, 2009 Hearing
<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22270.pdf>

Appendix A: Council Detail Hearing Report - Section 323 of COTA, Hearing 2009H3
<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22271.pdf>

Appendix B: Council Detail Hearing Report - Section 325 of COTA, Hearing 2009H3
<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22272.pdf>

GM24.2	ACTION	10:00 AM		Ward: All
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Apportionment of Property Taxes – June 2009 Hearing

Statutory - City of Toronto Act, 2006

Origin

(June 10, 2009) Report from the Acting Treasurer

Recommendations

The Acting Treasurer recommends that:

1. The apportionment of property taxes in the amounts identified in Appendix A and Appendix B, under the columns entitled "Apportioned Tax" and "Apportioned Phase In/Capping", be approved.

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

Summary

This report deals with 15 tax apportionment applications made by the Acting 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.

Financial Impact

Appendices A and B identify that approximately \$8,508.48 (as at May 28, 2009) 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. Authority to write off these interest amounts was previously delegated to the Director of Revenue Services by a Council decision in April 2007. Funding for the write-off of the interest/penalty amount is provided for in the 2009 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.

Background Information

Apportionment of Property Taxes - June 2009 Hearing

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22274.pdf>)

Appendix A: Apportionment Report - Treasurer Initiated Tax Apportionments

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22275.pdf>)

Appendix B: Apportionment Report - Taxpayer Initiated Tax Apportionments

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22276.pdf>)

GM24.3	ACTION			Ward: All
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2008 Accounts Receivable Write-off Report

Origin

(May 20, 2009) Report from the Acting Treasurer

Recommendations

It is recommended by the Acting Treasurer that:

1. City Council approve the write-off of uncollectible accounts of \$314,879.33 as detailed in Table 1 in this report.
2. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Summary

The purpose of this report is to recommend the write-off of uncollectible accounts receivable balances that total \$314,879.33 in accordance with the provisions of the Financial Control By-law, as all collection efforts have been exhausted. The actions being recommended by staff have been reviewed with appropriate Division Heads and Legal Services who concur with the recommendations.

Financial Impact

There are no financial implications as a result of this report as all accounts recommended for write-off have been provided for and expensed in previous years.

The write-offs recommended in this report amount to \$314,879.33 and when combined with those individual accounts under \$50,000 approved by the Treasurer in the amount of \$823,439.06 the total accounts receivable write offs for 2008 is \$1,138,318.39.

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

Background Information

2008 Accounts Receivable Write-off Report

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22278.pdf>)

GM24.4	Information			Ward: All
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2008 Consulting Services Expenditure – City Divisions and Major Agencies, Boards and Commission

Origin

(June 9, 2009) Report from the Acting Treasurer

Summary

The report is to inform the Committee and Council on the consulting services expenditure of City Divisions and major Agencies, Boards and Commission (ABCs) for the year ended December 31, 2008. It contains a summary and details, by category and vendor, of the Operating and Capital consulting services expenditure for 2008, with 2007 comparative.

Financial Impact

There are no financial implications arising from this report.

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

Background Information

2008 Consulting Services Expenditure y City Divisions and Major Agencies, Boards and Commission

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22281.pdf>)

Appendix A: 2008 Consulting Services Expenditure - Operating

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22282.pdf>)

Appendix B: 2008 Consulting Services Expenditure - Capital

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22283.pdf>)

GM24.5	ACTION			Ward: All
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Purchasing By-law Review

Origin

(June 5, 2009) Report from the Acting Treasurer

Recommendations

The Acting Treasurer recommends that:

1. Chapter 195, Purchasing, of the Toronto Municipal Code be amended in accordance with the proposed amendments outlined in Attachment 1 of this report.
2. Chapter 71, Financial Control, of the Toronto Municipal Code be amended to provide, during the summer months when Standing Committees and Council do not have any regularly scheduled meetings, an extended authority to the Chief Financial Officer to

approve any reallocation of budget between capital projects in an amount of not more than \$1 million.

Summary

The City's Purchasing By-law, as adopted by City Council in 2004, includes a provision to undertake a comprehensive review of the By-law and related policies every five (5) years.

This report summarizes the results of the five year review process and recommends changes to Chapter 195 "Purchasing" of the Toronto Municipal Code (the "Purchasing By-law"), and a procurement related change to the Chapter 71 "Financial Control" of the Code (the "Financial Control" By-law).

Financial Impact

There are no financial implications as a result of this report.

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

Background Information

Purchasing By-law Review

<http://www.toronto.ca/legdocs/mmis/2009/gm/bgnd/backgroundfile-22285.pdf>

GM24.6	ACTION			Ward: 19
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Ontario Place - Assessment Review Board Appeals

Confidential Attachment - 2 - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Origin

(June 9, 2009) Report from the Acting Treasurer and the City Solicitor

Recommendations

The Acting Treasurer and the City Solicitor recommend that:

1. Council adopt the recommendations contained in Confidential Attachment 2.
2. Council authorize the public release of the confidential information and recommendations contained in Confidential Attachment 2, at the discretion of the City Solicitor, if a settlement is finalized to the satisfaction of the City Solicitor.
3. The appropriate City staff be authorized and directed to take the necessary action to give effect thereto.

Summary

This report provides information on the status of the assessment appeals filed with the Assessment Review Board by the Ontario Place Corporation for taxation years 1998 to 2008 inclusive, with respect to their premises at 955 Lake Shore Boulevard West (re: Assessment Roll Number 1904 041 040 00910) and 851 Lake Shore Boulevard West (re: Assessment Roll Number 1904 041 040 01040). In addition, the report recommends a settlement of the appeals as outlined in Confidential Attachment 2.

Financial Impact

Details regarding financial impacts resulting from the recommendations made in this report are disclosed in Confidential Attachment 2.

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

Background Information

Ontario Place - Assessment Review Board Appeals

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22286.pdf>)

GM24.7	ACTION			Ward: All
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Approval to Initiate and Participate in Assessment Appeals

Confidential Attachment - 2 - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Origin

(June 10, 2009) Report from the Acting Treasurer and the City Solicitor

Recommendations

The Acting Treasurer and City Solicitor recommend that:

1. The assessment appeals initiated by Revenue Services staff, as identified in Appendix A of this report, be authorized.
2. City participation in the assessment appeals initiated by the taxpayer, as identified in Appendix B to this report, be authorized and actions taken to-date by Revenue and Legal Services staff in respect to these appeals be approved.
3. Authority be delegated to the Acting Director of Revenue Services and/or their Designee, in consultation with the City Solicitor, to take all steps appropriate to deal with the assessment appeals identified in this report, including retroactive authority to file assessment appeals already initiated by the Acting Director; authority to withdraw any appeal filed by the City; authority to initiate or end the City's participation in any

appeal; authority to execute Minutes of Settlement or other settlement agreements related to any appeal.

4. Council adopt the recommendations contained in Confidential Attachment 2.
5. Council authorize the public release of the confidential information and recommendations contained in Confidential Attachment 2, at the discretion of the City Solicitor.
6. The appropriate City staff be authorized and directed to take the necessary action to give effect thereto.

Summary

This report identifies those properties where, as a result of staff review and analysis, the Acting Director of Revenue Services has initiated assessment appeals at the Assessment Review Board (ARB) and is now seeking authorization to proceed with these appeals. The appeals are intended to correct assessment values that have been incorrectly classified, under-valued, or wrongly returned on the 2008 supplementary and omitted assessment rolls and the 2009 assessment roll. In addition, staff are requesting authorization to actively participate in taxpayer (owner) initiated appeals in order to protect the City's assessment base.

This report also makes recommendations to Council in respect of a number of appeals initiated by the Toronto Parking Authority. Staff's recommendations are outlined in Confidential Attachment 2.

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.

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 \$22,725 (\$150.00 each for 143 non-residential assessment appeals, and \$75.00 each for 17 residential appeals).

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 2009 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.

Background Information

Approval to Initiate and Participate in Assessment Appeals

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22287.pdf>)

Appendix A - Appeals initiated by the Treasurer

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22288.pdf>)

Appendix B - Appeals filed by the Owner(s) requiring City Participation

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22289.pdf>)

GM24.8	ACTION			Ward: All
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Write-off of Unpaid Property Taxes for Apportionment Applications Filed with the Assessment Review Board

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

Origin

(June 15, 2009) Report from the Acting Treasurer and City Solicitor

Recommendations

The Acting Treasurer and City Solicitor recommend that:

1. Council adopt the recommendations contained in Confidential Attachment 1;
2. The Confidential Attachment remain confidential as it contains information subject to solicitor/client and litigation privilege; and
3. The appropriate City staff be authorized and directed to take the necessary action to give effect thereto.

Summary

This report advises on the status of the 292 apportionment applications filed with the Assessment Review Board (ARB) in 2005, pursuant to Ontario Regulation 399/03, for taxes related to 2002 and prior years. This report also recommends that authority be delegated to the Acting Director of Revenue Services, in consultation with the City Solicitor, to withdraw certain of the applications based on criteria set out in the confidential attachment to this report.

Financial Impact

Details regarding financial impacts resulting from the recommendations made in this report are disclosed in Confidential Attachment 1.

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

Background Information

Write-off of Unpaid Property Taxes for Apportionment Applications Filed with the Assessment Review Board

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22294.pdf>)

GM24.9	ACTION			Ward: 6
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Response to Applicant's Request for Funds - Proposed Remediation of the former Treatment Plant Lands adjacent to Mystic Pointe Developments: Manitoba Street, Grand Avenue and Legion Road

Confidential Attachment - 1 - The receiving of advice that is subject to solicitor-client privilege

Origin

(June 8, 2009) Report from the City Solicitor

Recommendations

The City Solicitor recommends:

1. That Council decline the request of Sunrise West Building Group Inc., arising under the 2003 Development Agreement, for the City to provide additional funds for the applicant to remediate the City's adjacent Treatment Plant Lands.
2. That the confidential information in Attachment 1 not be made public.

Summary

This report recommends that the City decline the applicant's request, pursuant to a 2003 Development Agreement, that the City provide additional funds for the applicant to remediate the City's Treatment Plant Lands, which lands are adjacent to the development site.

Financial Impact

The recommendations of this report will have no financial impact beyond what has already been approved in the current year's budget.

Background Information

Response to Applicant's Request for Funds, Proposed Remediation of the former Treatment Plant Lands adjacent to Mystic Pointe Developments: Manitoba Street, Grand Avenue and Legion Road

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22296.pdf>)

GM24.10	ACTION			Ward: All
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The Corporation of the City of York Employee Pension Plan – Actuarial Report as at December 31, 2008

Origin

(June 9, 2009) Report from the Acting Treasurer

Recommendations

The Acting Treasurer recommends that:

1. The Report on the “Actuarial Valuation for Funding Purposes as at December 31, 2008” prepared by Mercer Human Resource Consulting with respect to The Corporation of the City of York Employee Pension Plan be received.
2. Authority be granted for the City officials to increase the existing special payments of \$2,945,530 in 2009 to \$3,495,862 in order to fund the additional going-concern and solvency deficiencies which developed in 2008.
3. Authority be granted for City officials to make interest payments of \$4,979 which are required because the increase in special payments will not be processed until August 1, 2009.
4. The appropriate City officials be authorized to make special annual payments of \$1,066,332 per year for 2010-2012 and \$550,332 for 2013 for the going-concern and solvency deficiency.
5. The appropriate City officials be authorized to take the necessary action to give effect to the foregoing recommendations.

Summary

This report submits the Actuarial Valuation as at December 31, 2008 for the Corporation of the City of York Employee Pension Plan (the Plan) and requests additional funding in the form of special annual payments to the Plan as required under the Ontario pension legislation with respect to the solvency and going-concern deficiencies.

The 2008 Valuation sets forth the financial position of the Plan for the year ended December 31, 2008. The report outlines both the solvency deficiency and a going-concern deficiency of the Plan and outlines an amortization schedule of payments required to eliminate the deficiency within the mandatory five years. As a result of the financial position of the Plan, staff are recommending that no cost of living increase be provided to pensioners in 2009.

Financial Impact

As a result of the 2007 Actuarial Valuation and previous valuations, the City of Toronto was required to make special annual payments to the Plan in the amount of \$3,121,264 for 2008 and \$2,945,530 in 2009.

The 2008 Actuarial Valuation shows deterioration in both the going-concern and solvency position of the Benefit Fund. As a result, the City of Toronto is required to increase the special payments for 2009 to a minimum of \$3,500,841 which includes the required interest. The total amount of interest owing that has been calculated using an interest rate of 4.625%, which is the discount rate used for the solvency valuation, is \$4,979. The interest amount in addition to the catch-up payment and the required monthly contribution totals \$624,498 and is required on August 1st, 2009 to meet the financial obligation of the plan.

Funding for these special annual payments will come from the Employee Benefits Reserve. For 2009, \$2,945,500 has been budgeted from this account. Therefore, there is an additional 2009 budget imperative of \$555,311 as a result of the new annual special payment requirements resulting from the 2008 Actuarial Valuation. Staff will ask Council through a report to the Executive Committee in September of 2009 for authorization to adjust the current non-program budget accordingly.

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

Background Information

The Corporation of the City of York Employee Pension Plan - Actuarial Report as at December 31, 2008

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22300.pdf>)

May 2009 The Corporation of the City of York Employee Pension Plan Attachment - Report on the Actuarial Valuation for Funding Purposes as at December 31, 2008

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22302.pdf>)

10a Actuarial Valuation for Funding Purposes as at December 31, 2008

Origin

(May 29, 2009) Letter from the City of York Employee Pension Plan Committee

Recommendations

The City of York Employee Pension Plan Committee recommended to the Government Management Committee that City Council adopt the following recommendations contained in the Recommendations Section of the report (May 11, 2009) from Anil Narale, Principal, Mercer Human Resource Consulting:

“It is recommended that:

1. No post-retirement adjustment be made as at July 1, 2009; and
2. The City contribute from January 1, 2009, at the rate of \$292,218 per month to October 2009 and \$286,841 per month thereafter in respect of the unfunded liability and solvency deficiency, until revised by a subsequent valuation report.”

Summary

The City of York Employee Pension Plan Committee on May 28, 2009, considered a communication (May 11, 2009) from Anil Narale, Principal, Mercer Human Resource Consulting, forwarding the report (May 2009) entitled “Corporation of the City of York Employee Pension Plan - Actuarial Valuation for Funding Purposes as at December 31, 2008”, and recommending that the Committee approve the report for submission to City Council so that the report can be filed with the Canada Revenue Agency and the Financial Services Commission of Ontario.

Background Information

Actuarial Valuation for Funding Purposes as at December 31, 2008
<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22309.pdf>

GM24.11	ACTION			Ward: All
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Metropolitan Toronto Police Benefit Fund – Actuarial Report as at December 31, 2008

Origin

(June 9, 2009) Report from the Acting Treasurer

Recommendations

The Acting Treasurer recommends that:

1. The “Report on the Actuarial Valuation for Funding Purposes as at December 31, 2008” prepared by Mercer Human Resource Consulting with respect to the Metropolitan Toronto Police Benefit Fund, be received.
2. Authority be granted for City officials to increase the existing special payments of \$772,200 in 2009 to \$5,425,800 beginning on August 1, 2009 in order to fund the solvency deficiency of the Plan based on the 2008 actuarial valuation.
3. Authority be granted for City officials to make interest payments of \$41,922 which is required as the increase in special payments will not be processed until August 1, 2009.
4. The appropriate City officials be authorized to make special annual payments in the amount of \$4,653,600 for the solvency deficiency for years 2010-2013.
5. The appropriate City officials be authorized to take the necessary action to give effect to the foregoing recommendations.

Summary

This report submits the Actuarial Valuation as at December 31, 2008 for the Metropolitan Toronto Police Benefit Fund (MTPBF) and requests additional funding in the form of special

annual payments as required under Ontario pension legislation when a plan has a “solvency deficiency”.

The 2008 Valuation sets forth the financial position of the Benefit Fund for the year ended December 31, 2008, outlines its solvency deficiency at that date, provides an amortization schedule for eliminating the deficiency within the mandatory five years and recommends no cost-of-living increase for pensioners for 2009.

Financial Impact

As a result of the 2007 Actuarial Valuation and previous valuations, the City of Toronto was required to make special annual payments to the Benefit Fund in the amount of \$2,416,200 for 2008 and \$772,200 in 2009.

The 2008 Actuarial Valuation shows a deterioration in the solvency position of the Benefit Fund. As a result the City of Toronto is required to increase the special payments for 2009 to a minimum of \$5,467,722 which includes required interest. The total amount of interest owing that has been calculated using an interest rate of 4.625%, which is the discount rate used for the solvency valuation, is \$41,922. The interest amount, in addition to the catch-up payment of \$3,213,550, are required on August 1st, 2009 to meet the financial obligation of the plan.

Funding for these special annual payments will come from the Employee Benefits Reserve. For 2009, \$2,000,000 has been budgeted from this account. Therefore, there is an additional 2009 budget imperative of \$3,425,800 as a result of the new annual special payment requirements resulting from the 2008 Actuarial Valuation. Staff will ask Council through a report to the Executive Committee in September of 2009 for authorization to adjust the current non-program budget accordingly.

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

Background Information

Metropolitan Toronto Police Benefit Fund - Actuarial Report as at December 31, 2008

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22305.pdf>)

Attachment - April 2009 Metropolitan Toronto Police Benefit Fund Report on the Actuarial Valuation for Funding Purposes as at December 31, 2008-

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22306.pdf>)

11a Metropolitan Toronto Police Benefit Fund – Actuarial Valuation as at December 31, 2008

Origin

(April 24, 2009) Letter from the Metropolitan Toronto Police Benefit Fund Board of Trustees

Recommendations

The Board of Trustees of the Metropolitan Toronto Police Benefit Fund recommends to the Government Management Committee that City Council approve that there be no improvements

for retired members at this time.

Summary

The Board of Trustees of the Metropolitan Toronto Police Benefit on April 13, 2009, considered a communication (April 13, 2009) from Anil Narale, Principal, Mercer, forwarding the Actuarial Valuation Report (April 2009) for the Metropolitan Toronto Police Benefit Fund prepared as at December 31, 2008.

Anil Narale, Principal, Mercer, gave a presentation to the Board of Trustees on the Actuarial Valuation Report.

Background Information

Metropolitan Toronto Police Benefit Fund - Actuarial Valuation as at December 31, 2008
<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22312.pdf>

GM24.12	ACTION			Ward: All
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Metropolitan Toronto Pension Plan – Actuarial Report as at December 31, 2008

Origin

(June 9, 2009) Report from the Acting Treasurer

Recommendations

The Acting Treasurer recommends that:

1. The “Report on the Actuarial Valuation for Funding Purposes as at December 31st, 2008” prepared by Mercer Human Resource Consulting with respect to the Metropolitan Toronto Pension Plan, be received.
2. The appropriate City officials be authorized to grant a cost of living increase of 2.37% on pensions, effective January 1, 2009 to pensioners on benefit for more than one year and a proportionate increase of 0.1975% for each month of pension payment made in 2008 be granted for pensioners who retired during 2008 at a cost of \$12.8 million on a solvency basis which will be paid for through the Indexation Reserve Account of the Plan.
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.

Summary

This report submits the Actuarial Valuation as at December 31, 2008 for the Metropolitan Toronto Pension Plan (“the Plan”) and provides recommendations for a cost of living increase to pensioners effective January 1, 2009.

The 2008 valuation sets forth the financial position of the plan for the year ended December 31, 2008, outlines recommendations for a cost of living increase of 2.37% for pensioners effective January 1, 2009 and confirms that the Plan does not require any special payments by the City of Toronto.

Financial Impact

The estimated cost of the increase on a solvency basis is \$12.8 million and on a going-concern basis the cost is \$12.2 million. This increase 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, 2008 is \$75.7 million.

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

Background Information

Metropolitan Toronto Pension Plan - Actuarial Report as at December 31, 2008
(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22273.pdf>)

12a Metropolitan Toronto Pension Plan – Actuarial Valuation as at December 31, 2008

Origin

(April 24, 2009) Letter from the Metropolitan Toronto Pension Plan Board of Trustees

Recommendations

The Board of Trustees of the Metropolitan Toronto Pension Plan recommends to the Government Management Committee that City Council approve that an increase of 2.37% be granted on pensions, effective January 1, 2009, to pensioners on benefit for more than one year and a proportionate increase of 0.1975% for each month of pension payment made in 2008 be granted for pensioners who retired during 2008, for which the total estimated cost is \$12,230,000. on the going-concern basis, or \$12,800,000. on the solvency basis.

Summary

The Board of Trustees of the Metropolitan Toronto Pension Plan on April 24, 2009, considered a communication (April 13, 2009) from Anil Narale, Principal, Mercer, forwarding the Actuarial Valuation Report (April 2009) for the Metropolitan Toronto Pension Plan prepared as at December 31, 2008.

Anil Narale, Principal, Mercer, gave a presentation to the Board of Trustees on the Actuarial Valuation Report.

Background Information

Report (April 24, 2009) from the Metropolitan Toronto Pension Plan Board of Trustees (<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22277.pdf>)

GM24.13	ACTION			Ward: All
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Toronto Civic Employees' Pension and Benefit Fund – Actuarial Report as at December 31, 2008

Origin

(June 9, 2009) Report from the Acting Treasurer

Recommendations

The Acting Treasurer recommends that:

1. The report on the “Actuarial Valuation for Funding Purposes as at December 31, 2008” prepared by Buck Consultants Ltd. with respect to the Toronto Civic Employees’ Pension and Benefit Fund, be received.
2. City Council approve a cost of living increase of 2.34% on pensions effective January 1, 2009 at a cost of \$7.5 million on a solvency basis which will be paid for by the fund.
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.

Summary

This report submits the Actuarial Valuation as at December 31, 2008 for the Toronto Civic Employees’ Pension and Benefit Fund (“the Fund”) and provides recommendations for a cost of living increase to pensioners effective January 1, 2009.

The 2008 valuation sets forth the financial position of the fund for the year ended December 31, 2008, outlines recommendations for a cost of living increase of 2.34% for pensioners effective January 1, 2009 and confirms that the fund does not require any special payments by the City of Toronto.

Financial Impact

The estimated cost of the increase on a solvency basis is \$7.5 million and \$6.5 million on a going-concern basis. This increase is payable from the assets of the fund and would not create any funding shortfall.

As at December 31, 2008, the Fund had a smoothed going-concern surplus of \$134.7 million and an unsmoothed solvency excess of \$48.2 million.

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

Background Information

Toronto Civic Employees' Pension & Benefit Fund - Actuarial Report as at December 31, 2008 (<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22279.pdf>)

2008 Actuarial Report for the Toronto Civic Employees' Pension & Benefit Fund as at December 31, 2008

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22280.pdf>)

13a The Toronto Civic Employees' Pension and Benefit Fund – 2009 Consumer Price Index Increase

Origin

(April 28, 2009) Letter from the Toronto Civic Employees' Pension and Benefit Fund Committee

Recommendations

The Committee unanimously:

1. Approved the Valuation Report, and authorized Ms. Rynne to make minor clerical amendments thereto, in consultation with the Senior Solicitor.
2. Directed the Acting Director, Pension, Payroll and Employee Benefits to include in her report to the Government Management Committee submitting the Valuation Report a request that, in view of the Fund's actuarial surpluses, Council grant to those in receipt of pensions from the Fund as of January 1, 2009, a 2.34% Consumer Price Index increase even though no such increase is called for by the formula in the Fund's governing by law.
3. Requested that a copy of the final report be provided to Members of the Committee.

Summary

The Toronto Civic Employees' Pension and Benefit Fund Committee on April 28, 2009, considered a draft document (April 2009), entitled "Toronto Civic Employees' Pension and Benefit Fund Actuarial Valuation Report as of December 31, 2008", submitted by Cynthia L. Rynne, Consulting Actuary, Buck Consultants, who gave a presentation thereon and answered Members' questions.

The Committee held discussions regarding the CPI Increase for 2009.

Background Information

Report (April 28, 2009) from the Toronto Civic Employees' Pension and Benefit Fund Committee

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22284.pdf>)

GM24.14	ACTION			Ward: All
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Toronto Fire Department Superannuation and Benefit Fund – Actuarial Report as at December 31, 2008

Origin

(June 9, 2009) Report from the Acting Treasurer

Recommendations

The Acting Treasurer recommends that:

1. The report on the “Actuarial Valuation for Funding Purposes as at December 31, 2008” prepared by Buck Consultants Ltd. with respect to the Toronto Fire Department Superannuation and Benefit Fund, be received.
2. City Council confirm that for the reasons stated in this report, no cost of living increase be provided to the Benefit Fund’s pensioners in 2009.
3. The Toronto Fire Department Superannuation and Benefit Fund Committee be advised accordingly.
4. The appropriate City officials be authorized to take the necessary action to give effect to the foregoing recommendations.

Summary

This report submits the Actuarial Valuation as at December 31, 2008 for the Toronto Fire Department Superannuation and Benefit Fund (the Benefit Fund) and provides recommendations from staff to not provide a cost of living increase in accordance with the Fund’s governing By-law. The Toronto Fire Department Superannuation and Benefit Fund Committee has submitted a request that Council approve an increase of 2.34% for 2009, however, staff do not support this request due to the deteriorating financial position of the fund and potential requirements for special payments by the City beginning in 2010.

The 2008 Valuation sets forth the financial position of the Benefit Fund for the year ended December 31, 2008, showing that at that time, although there was a smoothed going-concern surplus of \$43.4 million, the Fund’s solvency had deteriorated and will likely require special payments commencing in 2010. As a result, staff are recommending that no cost of living increase be provided to pensioners in 2009.

Financial Impact

There are no financial implications arising from this report.

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

Background Information

Toronto Fire Department Superannuation and Benefit Fund - Actuarial Report as at December 31, 2008

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22290.pdf>)

Attachment - Toronto Fire Department Superannuation and Benefit Fund Actuarial Valuation Report as of December 31, 2008

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22291.pdf>)

14a 2008 Actuarial Valuation Report for The Toronto Fire Department Superannuation and Benefit Fund – 2009 Consumer Price Index Increase**Origin**

(June 3, 2009) Letter from the Toronto Fire Department Superannuation and Benefit Fund Committee

Recommendations

The Toronto Fire Department Superannuation and Benefit Fund Committee recommends to the Government Management Committee that City Council grant to those in receipt of pensions from the Fund as of January 1, 2009, a 2.34% increase in benefits to match the increase in the Consumer Price Index during 2008.

Summary

The Toronto Fire Department Superannuation and Benefit Fund Committee on June 3, 2009, considered a draft document (April 2009), entitled “Toronto Fire Department Superannuation and Benefit Fund Actuarial Valuation Report as of December 31, 2008”, submitted by Cynthia L. Rynne, Consulting Actuary, Buck Consultants. Ms. Rynne joined the meeting and answered Members’ questions.

The Committee held discussions regarding the CPI Increase for 2009.

Background Information

Report (June 3, 2009) from the Toronto Fire Department Superannuation and Benefit Fund Committee

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22293.pdf>)

GM24.15	ACTION			Ward: All
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Sole Source Contract for the Supply and Installation of Election Results Transmission Equipment Replacement

Origin

(May 28, 2009) Report from the City Clerk

Recommendations

The City Clerk and the Acting Director of Purchasing and Materials Management recommend:

1. Council authorize the City Clerk to enter into a Sole Source agreement, in a form satisfactory to the City Solicitor, with Election Systems & Software (ES&S) for the supply and installation of Election Results Transmission Equipment from the date of award to December 31, 2009 in the amount of \$814,915.09 (\$687,460.00 US) net of GST.

Summary

This report requests authority to enter into a sole source agreement with Election Systems and Software (ES&S) for the replacement of the wireless transmission equipment in the City's 1,850 optical scan vote counting equipment.

Given the specialized nature and proprietary rights of the vote counting equipment, it is necessary for ES&S, the developer and manufacturer of the vote counting equipment, to install the new transmission equipment. The wireless technology used over the last three general municipal elections (2000, 2003, and 2006) is no longer supported by any wireless provider, and replacement technology must be purchased in order to maintain the current level of service.

The City Clerk will take advantage of a \$444,525.00 net of GST (\$375,000.00 U.S.) credit with ES&S, reducing the cash outlay for the purchase of the wireless transmission equipment to \$370,390.00 (\$312,460.00 U.S.) net of GST.

Financial Impact

The total potential sole source award identified in this report is \$852,642.63 (\$719,286.85 U.S.) including all applicable taxes and charges. The total potential contract award is \$814,915.08 net of GST (\$687,460.00 U.S.).

Funding is available in the 2009 City Clerk's Office Capital Budget in account CGV038 (Election Results Transmission Equipment).

Since the payment is expected to be made in July 2009, a July 2009 forward Canadian/US Dollar Exchange Rate of 1.1854 (Source: Bloomberg, May 1st 2009) was applied to forecast the funding requirement in Canadian Dollars and as the exchange rate throughout the report. Sufficient additional funding is budgeted in the above noted account should the Canadian Dollar depreciate.

In the event Canadian dollar appreciates beyond the level reflected in the July forward exchange rate, the City will be invoiced in the reduced amount as a result of the lower exchange rate.

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

Background Information

Sole Source Contract for the Supply and Installation of Election Results Transmission Equipment Replacement

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22295.pdf>)

GM24.16	ACTION			Ward: All
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Sole Source Contract with the Royal Lifesaving Society

Origin

(June 17, 2009) Report from the General Manager, Parks, Forestry and Recreation and the Director, Purchasing and Materials Management Division

Recommendations

The General Manager of Parks, Forestry and Recreation and the Director, Purchasing and Materials Management recommend that:

1. City Council grant authority for the issuance of a sole source contract with the Royal Lifesaving Society for Aquatic Lifesaving Program Affiliation and Licensing Fees, Candidate Exam and Certification Fees and the Supply of Course Materials in the total amount of \$3,372,474.00 net of GST for a five-year period, effective August 1, 2009.

Summary

This report requests that City Council grant authority for the issuance of a Sole Source Contract with the Royal Lifesaving Society (the Society) for the supply of Aquatic Lifesaving Program Affiliation and Licensing Fees, Candidate Exam and Certification Fees and the Supply of Course Materials for a five year period effective August 1, 2009.

This report also advises the Government Management Committee of an overspent, expired contract with the Royal Lifesaving Society for Leadership Management Services that provides trainers to deliver the City's Aquatic Lifesaving Programs.

Financial Impact

The total potential contract award identified in this report is \$3,445,919.00 including all applicable taxes and charges. The total potential cost to the City net of GST is \$3,372,474.00, effective August 1, 2009. Funding for the 2009 fees in the amount of \$309,285.00 net of GST is available in various Cost Centres within the Parks, Forestry and Recreation's 2009 Operating Budget in cost elements 4199 (services such as certification fees) and 2013 (materials such as

training manuals). Small increases are projected in 2010 through 2014 representing an estimated annual increase of 0.65% in exam/certification fees and 1.5% increase in materials costs. These estimated increases are based on the increases applied over the past 5 years for the same services and products. These increases will be absorbed within the Parks, Forestry and Recreation future years' operating budgets and partially offset by the anticipated increases in recreation program registration fees.

Annual funding details (net of GST) are provided in the table below:

Account	2009 Aug 1 to Dec 31	2010	2011	2012	2013	2014 Jan 1 to July 31	Total
Various	\$309,285	\$662,749	\$669,244	\$675,817	\$682,470	\$372,909	\$3,372,474

No funding is being requested or required for the overspending in contract No. 47006089 which expired December 31, 2004. All invoices have been paid and over expenditures were absorbed within the Parks, Forestry and Recreation operating budget. Non-contract invoices from the same vendor were incorrectly applied to the contract which resulted in over expenditure while non-contract accounts were under spent.

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

Background Information

Sole Source Contract with the Royal Lifesaving Society
<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22297.pdf>

GM24.17	ACTION			Ward: All
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Contract Amendment – Toronto Hydro Street Lighting Electrical Services including Design, Supply and Installation

Origin

(June 8, 2009) Report from the Deputy City Manager Sue Corke and the Director, Purchasing and Materials Management

Recommendations

The Deputy City Manager and the Director of Purchasing and Materials Management recommend that the Government Management Committee grant authority to:

- Increase Contract #47012227 with Toronto Hydro Street Lighting Inc., by an additional \$2,500,000.00 net of GST for a revised total value of \$5,276,415.10 net of GST.

2. Amend the validity end date from November 30, 2009, to February 26, 2010, to allow for the payment of invoices only. No additional orders will be placed against this Contract after November 30, 2009.

Summary

The purpose of this report is to request authority to amend Contract #47012227 with Toronto Hydro Street Lighting Inc., for the design, supply, installation, and inspection of decorative pedestrian street lighting, and other lighting projects, through a capital cost-sharing program with various Business Improvement Areas (BIAs).

The City of Toronto Municipal Code Chapter 71- Financial Control, states that if costs for a commitment exceed the original funding by more than \$500,000.00 excluding all taxes, approval must be obtained from the appropriate Standing Committee. The amendment is primarily to ensure continued processing of decorative lighting capital projects, in the final year of the contract.

Financial Impact

The total contract amendment identified in this report is \$2,625,000.00 including all applicable taxes and charges. The total contract amendment cost to the City is \$2,500,000.00 net of GST. The revised total contract value with Toronto Hydro Street Lighting Inc. is increased from \$2,776,415.10 to \$5,276,415.10 all net of GST.

Funds required for the commitment of capital cost shared electrical projects, for various Business Improvement Areas (BIAs), in the final year of the contract, are available in the 2009 Economic Development, Culture and Tourism Capital Budget in the following accounts: CED043 for \$1,250,000.00 net of GST and CED046 for \$1,250,000.00 net of GST.

The various BIAs will reimburse the City for 50% of the costs applied to their districts.

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

Background Information

Contract Amendment - Toronto Hydro Street Lighting Electrical Services including Design, Supply and Installation

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22298.pdf>)

GM24.18	Information			Ward: All
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Report on Over Expenditure for the supply and delivery of various blends of Unleaded Gasoline and Diesel Fuel to Fleet Services - Contracts 47011249 47012078, and 47013072

Origin

(June 3, 2009) Report from the Director, Fleet Services and the Director, Purchasing and

Materials Management

Summary

The purpose of this report is to advise on the over expenditures of contracts, for the supply and delivery of various blends of unleaded gasoline and diesel fuel, for Fleet Services against Contracts 47011249 (January 01, 2006 to December 31, 2006), Contract 47012078 (January 01, 2007 to December 31, 2007), and Contract 47013072(January 1, 2008 to December 31, 2008).

Financial Impact

The increased amount in the purchase order amendment for the supply and delivery of various blends of unleaded gasoline and diesel fuel covered under Contract No. 47011249 for the period of January 1, 2006 to December 31, 2006 is \$978,079.61 as follows:

Contract 47011249	
(a) Original Contract Amount	\$7,826,762.61
(b) Over Expenditure of Funds	\$ 978,079.61
(c) Revised Value of Contract	\$8,804,842.22

The increased amount of the purchase order amendment for the supply and delivery of various blends of unleaded gasoline and diesel fuel covered under Contract No. 47012078 for the period of January 1, 2007 to December 31, 2007 is \$2,057,798.41 is as follows:

Contract 47012078	
(a) Original Contract Amount	\$ 9,100,144.30
(b) Over Expenditure of Funds	\$ 2,057,798.41
(c) Revised Value of Contract	\$11,157,942.71

The increased amount of the purchase order amendment for the supply and delivery of various blends of unleaded gasoline and diesel fuel covered under Contract No. 47013072 for the period of January 1, 2008 to December 31, 2008 is \$3,765,399.13 is as follows:

Contract 47013072	
(a) Original Contract Amount	\$ 10,406,140.07
(b) Over Expenditure of Funds	\$ 3,765,399.13
(c) Revised Value of Contract	\$14,171,539.20

The total contract value increase to Contracts 47011249, 47012078, and 47013072 is \$6,801,277.15 net of GST (\$7,202,058.56 including all applicable taxes).

The over expenditures were covered by Fleet Services' 2006, 2007, and 2008 approved operating budgets which included funding for the acquisition of various blends of unleaded gasoline and diesel fuels that were charged back to the user programs based on their consumption levels. The additional costs of \$987,079.61 in 2006, \$2,057,798.41 in 2007 and \$3,765,399.13 in 2008 for the acquisitions were charged to cost centre group FL200-300 "Fuel Sites" and cost elements 2260 and 2280 in all three (3) years.

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

Background Information

Report on Over Expenditure for the supply and delivery of various blends of Unleaded Gasoline and diesel fuel to Fleet Services - Contracts 47011249 47012078, and 47013072 (<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22299.pdf>)

GM24.19	Information			Ward: All
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Local Food Procurement Policy and Implementation Plan - Update

Origin

(June 9, 2009) Report from the Director, Toronto Environment Office and the General Manager Children's Services

Summary

In October 2008, Council adopted a Local Food Procurement Policy, aimed at reducing greenhouse gas and smog causing emissions generated by the import of food from outside Ontario as part of the implementation of the Climate Change, Clean Air and Sustainable Energy Action Plan. The policy demonstrates that the City of Toronto is committed to progressively increasing the percentage of food being served at City-owned facilities or purchased for City operations from local sources.

Children's Services, jointly with the Toronto Environment Office, is implementing the first phase of the Local Food Procurement Policy and Implementation Plan, as adopted by Council in October 2008.

This report describes the opportunities and challenges experienced during the first phase of implementation and informs the Government Management Committee of our ongoing progress and upcoming strategies to initiate an increase in the purchase of local food by other City divisions.

Thus far, the following achievements have been made:

- increase in local food procurement of 13.4% over baseline for a total of 33.4%
- interdivisional working group established;
- information session provided to support broader implementation;
- supplier sourcing more local products;
- adjustments to purchasing practices such as increasing bulk buying and menu planning more sensitive to seasonal availability of produce has been effective in managing estimated cost impacts of local purchasing.

A follow-up report on the action plan and associated financial implications will be presented in Spring 2010, which will allow for additional research and expenditures information, resulting in an accurate portrayal of current corporate local food purchases.

Financial Impact

There are no financial implications arising from this report.

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

Background Information

Local Food Procurement Policy and Implementation Plan - Update
<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22345.pdf>

GM24.20	ACTION			Ward: 23
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North York City Centre Service Road Acquisition – 54 Horsham Avenue

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

Origin

(May 22, 2009) Report from the Chief Corporate Officer

Recommendations

The Chief Corporate Officer 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 and recommendations in Attachment 1, once the transaction has closed.
3. The Offer to Sell from the Owners of the property known as 54 Horsham Avenue be accepted substantially on the terms outlined in Attachment 1 to this report, and that either the Chief Corporate Officer or 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 he or she may consider reasonable.

Summary

The purpose of this report is to seek authority for the City to acquire the property municipally known as 54 Horsham Ave from Michael Simeon and Christina Simeon-Gardanis (the

“Owners”). This property is required to expand and complete the North York City Centre Service Road (“NYSR”).

Negotiations with the Owners of this property have been ongoing since January 2009. The Owners have signed an irrevocable Offer to Sell their property to the City. Appendix “A” to this report describes the salient terms of this proposed acquisition, which are considered fair and reasonable.

Financial Impact

The total cost of this acquisition will be funded from the 2009 Approved Capital Budget for Transportation Services, Capital Account CTP800-8-67 (North York Service Road).

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

Background Information

North York City Centre Service Road Acquisition - 54 Horsham Avenue
(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22307.pdf>)

Appendix A - Location Map - 54 Horsham Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22308.pdf>)

GM24.21	ACTION			
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Conveyance of a Portion of 4375 14th Avenue

Origin

(June 8, 2009) Report from the Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. The City convey a portion of 4375 14th Avenue, described as part of Lots 4 and 5, Concession 5, part of Part 2 on Plan 64R-8029, shown as Part 1 on Sketch No. PS-2009-056 (the “Property”), to The Regional Municipality of York (“York Region”) for nominal consideration, on terms satisfactory to the Chief Corporate Officer, and in a form satisfactory to the City Solicitor.
2. 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 as she considers reasonable.

Summary

This report seeks authority for the City to convey a portion of 4375 14th Avenue to the Regional Municipality of York.

Financial Impact

No revenue will be generated from the City’s conveyance of the Property to York Region. The conveyance of the Property is one of the requirements of a site plan application submitted by the City to the Town of Markham and York Region for the expansion of the Milliken Reservoir.

All costs associated with the site plan application are included in the 2009 Approved Capital Budget for Toronto Water (CPW029 – Water Storage Expansion).

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

Background Information

Conveyance of a Portion of 4375 14th Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22310.pdf>)

Appendix A - Site Map and Sketch

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22311.pdf>)

GM24.22	ACTION			Ward: 8
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Real Estate Acquisitions – Toronto-York Spadina Subway Extension Project (South of Steeles)

Origin

(June 8, 2009) Report from the Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. Council authorize the Director of Real Estate to negotiate to acquire the property listed in Appendix A, including revised property requirements for certain of the properties previously approved by Council at its meeting held January 27 and 28, 2009, as required to accommodate a change to the design of the subway tunnel between the proposed Sheppard West and Finch West subway stations and to initiate expropriation proceedings, where necessary.
2. Council authorize the Director of Real Estate to serve and publish Notices of Application for Approval to Expropriate the required property interests identified in Appendix A, to forward any requests for hearing that are received to the Chief Inquiry Officer, to attend the hearings in order to present the City’s position, and to report the Chief Inquiry Officer’s recommendations back to City Council for its consideration.

Summary

The City of Toronto (“City”) is responsible for undertaking property acquisition for its geographic portion of the Toronto-York Spadina Subway Extension Project (the “Project”).

This report seeks authority to acquire the listed property interests required to accommodate a change to the design of the subway tunnel between the proposed Sheppard West and Finch West subway stations and to initiate expropriation proceedings, as they become necessary.

The required property includes both newly identified properties and amendments to certain of the property requirements previously approved by Council.

Financial Impact

There is no direct financial impact resulting from the recommendations in this report. This report seeks approval only to initiate the purchase process, including expropriation, if necessary. There will be a further report seeking Council approval to purchase the required properties, if agreement is reached with the owner, or to expropriate if necessary.

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

Background Information

Real Estate Acquisitions - Toronto-York Spadina Subway Extension Project (South of Steeles)

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22313.pdf>)

Appendix A - Property Requirements Table

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22314.pdf>)

Appendix B1 - Horizontal Alignment Drawing showing old and new alignment

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22315.pdf>)

Appendix B2 - New Property Requirements drawing with approximate dimensions and areas labelled

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22316.pdf>)

GM24.23	ACTION			Ward: 20
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Election of Payment of the Outstanding Balance for Sale of the Closed Lane at the Rear of 585 Queen Street West

Origin

(June 9, 2009) Report from the Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. City Council elect to receive the outstanding balance of \$300,000.00 owed to the City by RioCan PS Inc. (“RioCan”) from the sale of the lane at the rear of 585 Queen Street West (the “Lane”) by certified cheque rather than by the conveyance of 2 store front condominium units valued at \$300,000.00 (the “Condo Units”) that are yet to be constructed on the site.
2. The City Solicitor be authorized and directed to execute and deliver notice to RioCan of the City’s election in Recommendation 1.

Summary

In 2008, RioCan PS Inc. purchased a closed lane at the rear of 585 Queen Street West from the City for \$1,000,000.00, of which \$700,000.00 has been paid to the City to date. The purpose of this report is to obtain approval to elect to receive payment of the outstanding balance of \$300,000.00 by certified cheque rather than by the conveyance of 2 store front condominium units in the development to be constructed on the site.

Financial Impact

The City will receive revenue in the amount of \$300,000.00 by electing that the outstanding balance of the purchase price be paid by certified cheque. The Agreement of Purchase and Sale between the City and RioCan (“APS”) stipulates that RioCan must pay the outstanding balance within 15 days of receipt of written notice from the City that it has elected to receive payment by certified cheque. At that time, the City is required to return the irrevocable, unconditional letter of credit (the “Letter of Credit”) that RioCan delivered to the City pursuant to the terms of the agreement under section 45 of the *Planning Act* between RioCan and the City (the “Section 45 Agreement”) as security for the payment of the outstanding balance. If RioCan fails to deliver the payment, the City will be entitled to draw down \$300,000.00 on the Letter of Credit. According to the City’s policy governing land transactions and proceeds from sale of surplus City-owned real property this revenue will be directed to the Corporate Land Acquisition Reserve Fund.

If the City were to elect to receive the Condo Units, they would not be conveyed until construction is completed, which is anticipated to occur in June of 2011.

At present, no City use has been identified for the Condo Units. Cultural Services has indicated that it is not interested in acquiring jurisdiction of the Condo Units if the City pursues ownership. Although the Committee of Adjustment decision refers to Artscape (which is not the City’s agent, as indicated in the decision), no arrangements have been negotiated with Artscape and reported to Council for approval concerning Artscape’s use of the Condo Units. In addition, there are numerous use restrictions imposed on the Condo Units as per Schedule “F” of the Section 45 Agreement (attached as Appendix “A”), which severely limit uses other than an art gallery.

Costs associated with the Condo Units, such as the cost to finish the Condo Units, applicable taxes and utility costs are not known and have not been included in any Division’s budget. Condo maintenance fees are currently projected at \$58.03/month for one unit and \$59.61/month for the other unit in Year 1, but will be subject to inflation and all increases that may occur in the condo budget in future years.

There are also numerous legal issues associated with condominium ownership that need to be evaluated and taken into consideration. The decision-making body of the condominium corporation is a Board of Directors elected by the unit owners, whose decisions could have financial and/or legal implications that bind the City. In the case of the subject condominium, the condominium is to consist of 90 residential units on the third to seventh floors of the building (together with related below-grade parking units and locker units) and two ground floor retail units, being the Condo Units which the City can elect to acquire. If City staff were to seek election to the Board of Directors to try to protect the City’s interests as the only non-

residential unit owner in the building, this could result in a potential conflict of interest for staff, as the best interests of the condominium corporation might not be the same as the best interests of the City.

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

Background Information

Election of Payment of the Outstanding Balance for Sale of the Closed Lane at the Rear of 585 Queen Street West

<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22319.pdf>

Appendix A - Schedule F, Restricted Uses

<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22320.pdf>

Appendix B - Site Map and Sketch

<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22321.pdf>

GM24.24	ACTION			Ward: 39, 41
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Grade Separation at Agincourt GO Station - TTC Sheppard East LRT Project

Origin

(June 10, 2009) Report from the Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. City Council, as approving authority under the Expropriations Act, approve the expropriation of the Property, set out in Appendix "A".
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 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. City Council authorize the amendments to the property requirements, as set out in Appendix "B" of this report, for the purposes of constructing the grade separation at the Agincourt GO Station itself a pre-requisite for the proposed Toronto Transit Commission Sheppard East LRT Project.

Summary

This report relates to property requirements for the purposes of constructing a grade separation at the Agincourt GO Station, itself a prerequisite for the proposed Toronto Transit Commission (“TTC”) Sheppard East LRT, and seeks approval for the expropriation of properties as identified in Appendix “A” (the “Property”).

This report also seeks approval to amend previously approved property boundaries as identified in Appendix “B”.

Financial Impact

Funding for the Properties identified in Appendix A is available in the 2009 Approved Capital Budget, in project CTT135.

On May 15, 2009 the Federal and Provincial governments announced joint funding of \$950 million for this project. Details regarding this funding and eligible costs will be the subject of future discussions with the Federal and Provincial governments. The acquisition of those properties identified in Appendix B will not proceed until this exercise has been completed. This report seeks authority to amend technical property boundary information in relation to those properties for the sole purpose of allowing the project to proceed in a timely manner once the funding issues have been resolved.

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

Background Information

Grade Separation at Agincourt GO Station - TTC Sheppard East LRT Project

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22325.pdf>)

Appendix A - Property Details

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22326.pdf>)

Appendix B - Table of Amendments to Private Property Requirements

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22327.pdf>)

Site Maps

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22328.pdf>)

GM24.25	ACTION			Ward: 12
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Overflow Parking Licence Agreement at City’s Lands of 50 Ingram Drive

Origin

(June 8, 2009) Report from the Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. Council authorize a Licence Agreement for approximately fifty (50) overflow parking spaces at 50 Ingram Drive for a five (5) year term with a five (5) year renewal option substantially based on the terms and conditions as set out in the attached Appendix “A”.
2. The Chief Corporate Officer be authorized to administer and manage the Licence 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.

Summary

The purpose of this report is to seek the authority to enter into a non-exclusive Licence Agreement with My Father’s House for approximately fifty (50) overflow vehicular parking spaces on City owned land at 50 Ingram Street (the “City Lands”) for a five (5) year term with a five (5) year renewal option. The Licence is in exchange for My Father’s House agreeing to grant to the City a permanent non-exclusive access easement (the “Access Easement”) through a portion of its lands at 2265 Keele Street for the purposes of ingress and egress to and from Keele Street to the City Lands on which Parks, Forestry and Recreation Division (PFR) is planning to develop a golfing related activity.

Financial Impact

This transaction will result in the Licence Agreement that allows My Father’s House to use up to 50 parking spaces in a designated area on the City lands for a 5 year term (with a five year option), in exchange for a permanent non-exclusive easement through a portion of My Father’s House lands, for a nominal fee, for the purposes of ingress and egress to the City’s lands west of Ingram Transfer Station. My Father’s House will also pay realty taxes, as well as all maintenance and operating costs related to the designated area. As this designated area is currently vacant land there will be no lost revenue to the City. At the same time, the City will benefit from the easement provided in exchange, which will allow the access to the City’s Land which Parks, Forestry and Recreation (PF&R) plans to use for a golf activity related development.

Funding for the development of the City's land is not currently accounted for in the PF&R’s 2009 Capital Budget and 10-year Capital Plan and Forecast. Once development plans and funding estimates are finalized, the required funding will be incorporated into the PF&R’s Capital Plan. There is no available funding or immediate plans to operate any facilities on this land.

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

Background Information

Overflow Parking Licence Agreement at City's Lands of 50 Ingram Drive
(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22331.pdf>)

Appendix A - Major Terms and Conditions

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22332.pdf>)

Appendix B - Location Map

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22333.pdf>)

GM24.26	ACTION			Ward: 20
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Renewal of Lease at 425 Adelaide Street West for the Assessment Review Board

Origin

(June 9, 2009) Report from the Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. Council authorize the proposed five (5) year renewal of a lease agreement with 1432499 Ontario Limited (the “Landlord”) for portion of the 8/F, 425 Adelaide Street West with an approximate area of 3,539 sq. ft. commencing on September 1, 2009 and expiring August 30, 2014, with a further option to renew for 5 years substantially on the terms and conditions outlined in Appendix “A” of this Report.
2. The Chief Corporate Officer be authorized to administer and manage the renewal agreement including the provisions 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.

Summary

The purpose of this report is to obtain Council’s authority to enter into a five (5) year renewal of a lease agreement with 1432499 Ontario Limited (the “Landlord”) for portion of the 8th Floor of 425 Adelaide Street West for the continued use by the Assessment Review Board, commencing on September 1, 2009 and expiring August 30, 2014 with a further option to renew for 5 years.

Financial Impact

The total cost to the City for the term of the proposed lease renewal is anticipated at \$485,695.15. Funding for 2009 is included in the 2009 - Facilities & Real Estate’s-Operating Budget (Cost Centre .FA1641). Funding requirement for 2010-2014 will be included in respective year’s Budget Submission for Facilities and Real Estate and accommodated within approved operating budget targets.

	Unit Rate	Annual cost	Total cost for 5 years
Basic Rent	\$11/sq. ft. x 3,539 sq. ft	\$38,929	\$194,645
Parking	\$200 x 12	\$2,400	\$12,000
Additional Rent	\$15.77 (2008 Rate subject to adjustment to actual cost)x 3,539 sq. ft.	\$55,810	\$279,050
Total amount		\$97,139	\$485,695

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

Background Information

Renewal of Lease at 425 Adelaide Street West for the Assessment Review Board

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22335.pdf>)

Appendix A - Major terms and conditions

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22336.pdf>)

Appendix B - Location Map

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22337.pdf>)

GM24.27	Information			Ward: All
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2009 Semi-Annual Report on Property Sales and Acquisitions

Origin

(June 10, 2009) Report from the Chief Corporate Officer

Summary

This semi-annual report provides information regarding total property sales and purchases by the City from January 1, 2009 to May 31, 2009. This report includes the number of properties proposed for sale and the current status of such properties. This report also includes details regarding acquisition and expropriation costs and settlements.

Background Information

2009 Semi-Annual Report on Property Sales and Acquisitions

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22341.pdf>)

Appendix A - Surplus Property

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22342.pdf>)

Appendix B - Property Acquisitions/Expropriations

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22343.pdf>)

Appendix C - 2009 Property Sales

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22344.pdf>)

GM24.28	ACTION			Ward: 23
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Lease Agreement with Eva’s Initiatives for Homeless Youth at 25 Canterbury Place

Origin

(June 10, 2009) Report from the Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. City Council authorize the Chief Corporate Officer to enter into a Lease Agreement with Eva’s Initiatives at 25 Canterbury Place, for a five (5) year term, with the option to renew for one five-year term based substantially on the terms and conditions set out in the attached Appendix “A”, and any other terms and conditions acceptable to the Chief Corporate Officer, or his/her designate, and in a form acceptable to the City Solicitor.
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.

Summary

The purpose of this Report is to obtain City Council authority to enter into a Lease Agreement with Eva’s Initiatives for Homeless Youth (Eva’s Initiatives), at 25 Canterbury Place. The proposed agreement will replace the existing agreement at 5248 Yonge Street.

The tenancy is for a term of five years commencing June 29, 2009 with one five-year renewal option. Eva’s Initiatives is an existing service provider, and is prepared to take full responsibility for the operating and leasehold improvement costs, and would be required to maintain the property in a state of good repair.

Financial Impact

Funding for both the Purchase of Service Agreement and the Lease Agreement with Eva’s Initiatives Satellite at 25 Canterbury Place are included in the 2009 Approved Operating Budget for Shelter, Support and Housing Administration, and will result in no additional cost to the City. Funding for future years’ contracts will be requested in the 2010-2014 Operating Budget Submissions for Shelter, Support and Housing Administration. Should the option to renew the Lease Agreement for one five-year term be exercised, funding for the Lease Agreement will be requested in the 2015-2019 Operating Budget Submissions for Shelter, Support and Housing Administration.

The substantial terms of the Lease Agreement will be consistent with the existing relationship at 5248 Yonge Street, currently occupied by the tenant, and all operating and leasehold improvement costs related to the building occupancy will be paid by the tenant.

In compliance with conditions settled with adjacent landowners and in accordance with the Ontario Municipal Board (OMB) decision, the maintenance obligations imposed by the easement on the south side of the property will be satisfied by the City at its cost. Funding for these costs is included in the 2009 City's Approved Operating Budget and will result in no additional cost to the City.

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

Background Information

Lease Agreement with Eva's Initiatives for Homeless Youth at 25 Canterbury Place

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22317.pdf>)

Appendix ?A? Major Terms & Conditions - Eva's Initiative Satellite

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22318.pdf>)

GM24.29	ACTION			Ward: 23
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Terms of a New Lease – 4804-4812 Yonge Street

Origin

(June 11, 2009) Report from the Chief Corporate Officer

Summary

The purpose of this report is to advise that a staff action report, “Terms of a New Lease – 4804-4812 Yonge Street” will be on the Supplementary Agenda for the Government Management Committee meeting scheduled for June 25, 2009.

Background Information

Terms of a New Lease y 4804-4812 Yonge Street

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22322.pdf>)

GM24.30	ACTION			Ward: 11, 17, 20, 28
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Transfer of Properties to Build Toronto

Origin

(June 11, 2009) Report from the Chief Corporate Officer

Summary

The purpose of this report is to advise that a staff action report, “Transfer of Properties to Build Toronto” will be on the Supplementary Agenda for the Government Management Committee meeting scheduled for June 25, 2009.

Background Information

Transfer of Properties to Build Toronto

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22323.pdf>)

GM24.31	ACTION			Ward: 1
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Leasing of 21 Panorama Court from the Toronto Catholic District School Board for a Community Hub

Origin

(June 11, 2009) Report from the Chief Corporate Officer

Summary

The purpose of this report is to advise that a staff action report, “Leasing of 21 Panorama Court from the Toronto Catholic District School Board for a Community Hub” will be on the Supplementary Agenda for the Government Management Committee meeting scheduled for June 25, 2009.

Background Information

Leasing of 21 Panorama Court from the Toronto Catholic District School Board for a Community Hub

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22324.pdf>)

GM24.32	ACTION			Ward: All
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Councillor Protection at City Properties

Origin

(June 11, 2009) Report from the Chief Corporate Officer

Summary

The purpose of this report is to advise that a staff action report, “Councillor Protection at City Properties” will be on the Supplementary Agenda for the Government Management Committee meeting scheduled for June 25, 2009.

Background Information

Councillor Protection at City Properties

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22329.pdf>)

GM24.33	ACTION			Ward: 20
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Metro Hall Café and Catering – YMCA Lease

Origin

(June 11, 2009) Report from the Chief Corporate Officer

Summary

The purpose of this report is to advise that a staff action report, “Metro Hall Café and Catering – YMCA Lease” will be on the Supplementary Agenda for the Government Management Committee meeting scheduled for June 25, 2009.

Background Information

Metro Hall Cafe and Catering - YMCA Lease

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22330.pdf>)

GM24.34	ACTION			Ward: 11
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Leasing 5 Bartonville Avenue East to UrbanArts Community Arts Council

Origin

(June 12, 2009) Report from the Chief Corporate Officer and the Executive Director, Social Development, Finance and Administration

Summary

This is to advise that the report requesting City Council authority to enter into a new Below-Market Rent lease agreement with UrbanArts Community Arts Council for the use of City property at 5 Bartonville Avenue East in the Weston-Mt. Dennis priority neighbourhood will be on the Supplementary Agenda for the Government Management Committee meeting of June 25, 2009.

Background Information

Leasing 5 Bartonville Avenue East to UrbanArts Community Arts Council

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22334.pdf>)

GM24.35	ACTION			Ward: 43
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Guild Inn Revitalization and Redevelopment: Letter of Intent with Centennial College and Next Steps Project Documentation

Origin

(June 15, 2009) Report from the Chief Corporate Officer and the General Manager, Economic Development, Culture and Tourism

Recommendations

The General Manager for Economic Development, Culture and Tourism and the Chief Corporate Officer recommend that:

1. Council grant authority to enter into a binding letter of intent with Centennial on the terms and conditions outlined in the term sheet attached to this report as Appendices “A” through “H” inclusive, subject to such further revisions and other terms and conditions as may be satisfactory to the General Manager of Economic Development, Culture and Tourism (“General Manager”) in consultation with the Chief Corporate Officer (the “CCO”) and Toronto and Region Conservation Authority (“TRCA”), and in a form satisfactory to the City Solicitor (the “LOI”);
2. to implement the LOI, Council grant authority to:
 - a. the CCO to negotiate the Sublease and all easements, licenses and other Project-Related Agreements required to implement the Sublease and LOI, including any loan agreement for the use of any Guild Inn artifacts, subject to such further revisions and other terms and conditions as may be satisfactory to the General Manager and TRCA, in a form satisfactory to the City Solicitor;
 - b. enter into the Sublease and other Project-Related Agreements with Newco and/or an approved Developer/Hotel Operator of the Subleased Premises and its/their lenders, and Centennial and TRCA, as applicable, in a form satisfactory to the City Solicitor;
 - c. the CCO to administer and manage the Sublease and Project-Related Agreements, including the provision of any consents, approvals, notices and notices of termination provided the CCO may, at any time, refer consideration of such matters (including their content) to Council for its determination and direction; and
3. the appropriate City officials be authorized and directed to take the necessary action to give effect to these recommendations.

Summary

To recommend the redevelopment and revitalization of the Guild Inn hotel site (“Project”) and obtain Council authority to enter into a letter of intent with Centennial College (“Centennial”) and to negotiate and enter into a long-term sublease (the “Sublease”) between the City and a

City-approved, single purpose not-for-profit corporation for the Project (to be incorporated and controlled by Centennial) (“Newco”) and other agreements related to the Project (the “Project-Related Agreements”).

Financial Impact

The revitalization and redevelopment of the Guild Inn by Centennial would relieve the City of any future capital or operating obligations associated with the existing structures on the subleased premises. The City would also be relieved of significant potential health and safety liabilities associated with maintaining the existing vacant hotel facility. The Project would also generate new property tax revenue to the City.

In conjunction with the Project, and as a condition of the Sublease, the City will make certain capital improvements to the publicly retained portion of the balance of the park. Economic Development, Culture and Tourism’s approved 5-year Capital Plan includes \$4.208 million for the Guild project that includes \$408,800 carried forward from 2008; \$850,000 approved in 2009; and cash flow of \$1 million in 2010; \$1.2 million in 2011 and \$750,000 in 2012 subject to Council’s consideration in future year Capital Budget processes. The City’s capital investment will be directed to stabilize and improve the heritage buildings in the Cultural Precinct and to improve the public circulation to those facilities.

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

Background Information

Guild Inn Revitalization and Redevelopment: Letter of Intent with Centennial College and Next Steps Project Documentation

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22338.pdf>)

Appendices A - H

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22339.pdf>)

GM24.36	ACTION			Ward: 11
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Property Tax Exemption for Society of Portuguese Disabled Persons Building Fund (Ward 11 York South - Weston)

Origin

(June 10, 2009) Member Motion from Councillor Frances Nunziata (Ward 11 York South-Weston)

Recommendations

It is recommended that:

1. Toronto City Council support The Society in its efforts to obtain a Private Members Bill to provide an exemption from property taxes.

Summary

The Society of Portuguese Disabled Persons Building Fund (“The Society”) was formed in 2001 to help stimulate social activities for individuals with disabilities who may be housebound in the community. Unfortunately, these individuals are faced with many limitations and have few channels available to allow them to integrate with society.

In order to build a centre for all disabled persons regardless of ethnicity, the Society purchased the property at 2295 St. Clair Avenue West. The Centre was constructed at no cost to the government, until 2007 when The Society obtained a grant from the Provincial Government to assist the centre in purchasing some necessary equipment. Currently, the Centre owns and occupies the property at 2295 St. Clair Avenue West. The Society celebrated the grand opening of the centre on June 23, 2007.

The centre is now open from Monday to Friday, 8am to 4pm and offers a variety of programs for people of all cultural and ethnic backgrounds with disabilities and provides support to their families. Through various programs, clients continue to learn social skills by group participation, building greater independence, self-esteem and facilitating integration within the community. These programs help to develop leadership skills which empower clients to be active and productive members of society.

The Society is a registered charity within the meaning of the Income Tax Act (Canada).

The Society is seeking Private Legislation to provide an exemption from property taxes, and have asked that the City of Toronto support The Society in obtaining the Private Members Bill.

Background Information

Property Tax Exemption for Society of Portuguese Disabled Persons Building Fund (Ward 11 York South - Weston)

(<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22340.pdf>)

GM24.37	ACTION			Ward: All
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Ouch Canada! Canadian Spelling

Origin

(May 2, 2009) Memo from Councillor Howard Moscoe (Ward 15 - Eglinton-Lawrence)

Recommendations

It is recommended that the City of Toronto:

1. Contact Microsoft and ask them to produce a Spell-Check that defaults to Canadian English.
2. Through the normal replacement process, replace all of our software with that which utilizes Canadian Spelling for every day municipal business functions.

3. Require Canadian Spelling in all City of Toronto reports.
4. Require the use of Canadian Spelling in all correspondence both internal and external.
5. Require whoever administers the Official City of Toronto web site to ensure that it is expunged of all non Canadian spellings and to henceforth use only Canadian spelling.
6. Advise both the Federal and Provincial Government of the errors on their web sites and request that they change them to “Canadian English”.Oh Canada!

Summary

Memo submitted by Councillor Moscoe respecting proposed change in spelling from the currently used American English to Canadian English.

Background Information

Ouch Canada ! Canadian Spelling

<http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-22398.pdf>