

**THE CITY OF TORONTO**

**City Clerk's Division**

**Minutes of the Special Meeting of the Administration Committee**

**Meeting No. 2**

**Wednesday, January 29, 2003.**

The Administration Committee met on Wednesday, January 29, 2003, in Committee Room 2, 2nd Floor, City Hall, Toronto, commencing at 9:38 a.m.

Attendance

Members were present for some or all of the time periods indicated.

	9:38 a.m. to 12:39 p.m.	2:12 p.m. to 7:40 p.m.
Councillor Brian Ashton	X	X
Councillor Rob Ford	X	X
Councillor Doug Holyday, Chair	X	X
Councillor Anne Johnston	X	X
Councillor David Miller	X	X
Councillor Frances Nunziata Vice-Chair	X	X
Councillor Paul Sutherland	X	X
Councillor David Soknacki		

**2.1 Union Station Request For Proposals - Status Report  
Negotiations With Union Pearson Group  
(Ward 28 - Toronto Centre-Rosedale).**

The Administration Committee had before it a report (January 22, 2003) from the Commissioner of Corporate Services recommending that:

- (1) a Master Agreement to Lease Union Station to the Union Pearson Group be approved on terms and conditions set out in the body of this report and be in a form satisfactory to the City Solicitor;
- (2) the proposal deposit in the amount of \$50,000 be refunded to LP Heritage + Union Station Consortium;

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- (3) revenues to the City generated from the lease of Union Station to the Union Pearson Group be placed in a reserve account to be used solely for Union Station capital requirements, any post-closing adjustments and transaction costs, and outside legal, accounting or other consultants' fees necessary to finalize this transaction, pending a determination of the status of the Walks and Gardens Trust;
- (4) the Public Advisory Group initiated by Councillors Holyday, Sutherland and Ashton be continued to provide public input as part of the ongoing review process for the revitalization of Union Station and be formalized as part of the governance structure for Union Station;
- (5) the retainer of Davies Ward Phillips & Vineberg be continued to complete this transaction with costs, not to exceed \$250,000, to be paid out of revenues from Union Station; and
- (6) appropriate City staff be authorized and directed to take all necessary actions to give effect thereto.

The Administration Committee also had before it the following communications:

- (i) (January 23, 2003) from the City Clerk recommending the adoption of the following recommendations of the Toronto Preservation Board:

“The Toronto Preservation Board recommends to the Administration Committee and Council that:

- (I) the City endorse “in principle” the following four major interventions referred to in the communication dated January 15, 2003, from Patricia H. Simpson, Solicitor, as amended:
  - (1) the moats to be covered with transparent glazing, which will provide weather-protected spaces, for public, pedestrian use;
  - (2) an opening to be introduced into the floor of the Via Arrivals/Departure Lobby, in order to provide a connection to the Concourse level below;
  - (3) stairs to be introduced in two of the arches in the Great Hall, to allow additional circulation paths into the VIA Concourse and the Concourse levels below; and

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- (4) the West Wing to be used for either an office or hotel use, above the main floor, such an adaptive re-use not to involve any changes or any addition to the exterior facades or any additional floors, and provided that there is improved public access to the current waiting area;
- (II) the Toronto Preservation Board's displeasure and concern with the process be registered; and
- (III) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;
- (ii) (December 5, 2002) from Mr. John Sewell, Save Union Station Committee, forwarding a brief entitled "Proposal for an Advisory Group for Union Station" for the consideration of the Administration Committee;
- (iii) (December 5, 2002) from Mr. John Sewell, Save Union Station Committee, forwarding a brief entitled "Red Flag Issues regarding Union Station" for the consideration of the Administration Committee;
- (iv) (January 24, 2003) from Mr. William Freeman;
- (v) (January 25, 2003) from Ms. Brenda Zitzer and family;
- (vi) (January 27, 2003) from Mr. John Sewell, Save Union Station Committee;
- (vii) (January 28, 2003) from Ms. Alison Reid;
- (viii) (January 28, 2003) from Mr. Wayne Olsen; and
- (ix) Various submissions respecting the proposal pertaining to the Union Station Redevelopment Proposal.

The following persons appeared before the Administration Committee in connection with the foregoing matter:

- Mr. Ronald Taylor, on behalf of Union Pearson Group;
- Ms. Julia Gersovitz, on behalf of Union Pearson Group;
- Mr. Dave Sutherland, on behalf of Union Pearson Group;
- Mr. Cubie Dawson, on behalf of Union Pearson Group;
- Mr. John Sewell, Save Union Station Committee;

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- Mr. David Jeanes;
- Mr. David Garon, Secretary, Toronto Railway Historical Society, and filed a written submission with respect thereto;
- Mrs. Joan York;
- Ms. Linda Sheppard;
- Mr. Lawrence David;
- Ms. Laura Cooper;
- Mr. Rob Hines;
- Ms. Alison Reid;
- Mr. Wayne Olsen; Architect, OAA MRAIC; and
- Mr. Art McIlwain, President, Urqhart Consortium, and filed a written submission with respect thereto.

The following members of staff also appeared before the Administration Committee in connection with the foregoing matter:

- Mr. Bob Boyle, GO Transit;
- Mr. David Hopper, Delcan Transit and Transportation Planning; and
- Mr. Thomas Middlebrook, Toronto Transit Commission.

The following Members of Council also appeared before the Administration Committee in connection with the foregoing matter:

- Councillor Pam McConnell, Toronto Centre-Rosedale;
- Councillor Sherene Shaw, Scarborough-Agincourt; and
- Councillor Michael Walker, St. Paul's.

The Administration Committee:

- (A) recommended to Council
- (I) the adoption of the following Recommendations Nos. (4) and (5) contained in the report (January 22, 2003) from the Commissioner of Corporate Services:
- “(4) the Public Advisory Group initiated by Councillors Holyday, Sutherland and Ashton be continued to provide public input as part of the ongoing review process for the revitalization of Union Station and be formalized as part of the governance structure for Union Station;”;  
**(Motion by Councillor Miller)**
- (5) the retainer of Davies Ward Phillips & Vineberg be continued to complete this transaction with costs, not to exceed \$250,000, to be paid out of revenues from Union Station;”;  
**(Motion by Councillor Ashton)**
- (II) that the Commissioner of Corporate Services be requested to release, publicly, all of the RFP submissions and evaluation documentation, subject to the obligations of MFIPPA so that their release will protect the City’s financial and public interest; and  
**(Motion by Councillor Miller).**
- (III) that the process undertaken in the Union Station RFP be reviewed by an independent reviewer to determine if the process has been undertaken properly in accordance with City standards of integrity, and that one of the following persons be requested to be the reviewer:
- (i) the Provincial Ethics Commissioner, Mr. Justice Osborne; or
- (ii) the City’s Auditor General;  
**(Motion by Councillor Miller)**
- (B) deferred consideration of the following Recommendations Nos. (1), (2), (3) and (6) contained in the report (January 22, 2003) from the Commissioner of Corporate Services, to a special meeting of the Administration Committee to be arranged at the call of the Chair:
- “(1) a Master Agreement to Lease Union Station to the Union Pearson Group be approved on terms and conditions set out in the body of this report and be in a form satisfactory to the City Solicitor;
- (2) the proposal deposit in the amount of \$50,000 be refunded to LP Heritage + Union Station Consortium;

- (3) revenues to the City generated from the lease of Union Station to the Union Pearson Group be placed in a reserve account to be used solely for Union Station capital requirements, any post-closing adjustments and transaction costs, and outside legal, accounting or other consultants' fees necessary to finalize this transaction, pending a determination of the status of the Walks and Gardens Trust; and
  - (6) appropriate City staff be authorized and directed to take all necessary actions to give effect thereto;"; **(Motion by Councillor Miller)**
- (C) requested the Commissioner of Corporate Services to:
- (a) negotiate further with Union Pearson Group with the intent of removing the second 50 year term of the lease or otherwise reducing the length of the lease or redefining the triggering mechanisms that afford greater control to the City; **(Motion by Councillors Ashton and Miller)**
  - (b) produce the lease and any agreements related to future density rights over Union Station lands to Council for consideration, through the Administration Committee; **(Motion by Councillor Sutherland)**
  - (c) review further the design issues raised by the deputants appearing at the January 29, 2003, Special Meeting of the Administration Committee, particularly pedestrian flow, east west, north and south connections, the GO concourses and the location of retail, and report on potential improvements; and **(Motion by Councillor Miller)**
  - (d) provide a public report to the Special Meeting of the Administration Committee to be arranged at the call of Chair of the Committee:
    - (i) comparing the financial arrangements negotiated with Union Pearson Group with the original financial proposals of Union Pearson Group and LP Heritage + Union Station Consortium and with a "public sector comparator"; and **(Motion by Councillor Miller)**
    - (ii) on what extent the City is encumbered or specific rights assigned to the proponent of reciprocal rights regarding the upper area of Union Station; and **(Motion by Councillor Ashton)**
- (D) referred the submissions and concerns raised by the deputants appearing at the Special Meeting of the Administration Committee held on January 29, 2003, specifically the issues raised by Mr. Art MacIlwain, President, Urquhart, Mr. John Sewell, Save Union Station Committee; Mr. Wayne Olson, Architect, OAA MRAIC, the Toronto Railway Historical Society, and the Toronto Preservation Board, to the Commissioner of

Corporate Services for report thereon to the Special Meeting of the Administration Committee to be arranged at the call of the Chair. **(Motion by Councillor Miller on behalf of Councillor Walker)**

**The following motions were voted on and lost, or declared redundant:**

Moved by Councillor Ford:

“That the Administration Committee recommend to Council that the report (January 22, 2003) from the Commissioner of Corporate Services be received.”  
**(Redundant)**

“That the Commissioner of Corporate Services be requested to replace the current Project Manager handling the Union Station Project.” **(Lost on the following Recorded Vote:**

**FOR: Councillor Ford.**

**AGAINST: Councillors Ashton, Johnston, Miller, Sutherland.)**

“That Council request the Toronto Police Services Board to request the Chief of Police to investigate the process of the Union Station Request for Proposal to determine whether there has been any criminal wrongdoing.” **(Lost on the following Recorded Vote:**

**FOR: Councillor Ford.**

**AGAINST: Councillors Holyday, Ashton, Johnston, Sutherland.)**

Moved by Councillor Nunziata:

“That the Administration Committee recommend that City Council at its meeting scheduled to be held on February 4, 2003, request the Auditor General to review the selection process that was undertaken to evaluate the Union Station Request for Proposals and submit a report thereon to the February 24, 2003, meeting of City Council, through the Administration Committee. **(Lost on the following Recorded Vote:**

**FOR: Councillors Holyday, Ford, Sutherland.**

**AGAINST: Councillors Ashton, Johnston, Miller.)**

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Moved by Councillor Holyday:

“That the Administration Committee recommend to Council the adoption of the report (January 22, 2003) from the Commissioner of Corporate Services.”  
**(Redundant)**

**(Communication to City Council for consideration with  
Clause No. 1a of Report No. 14  
of the Administration Committee.)**

The Administration Committee adjourned its meeting at 7:40 p.m.

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Chair.