

November 13, 2007

To: Executive Committee

From: Budget Committee

Subject: Acquisition of Toronto District School Board's 2054 Davenport Road and
11 St. Annes Road Sites
(Wards 17 and 18 Davenport)

Recommendations:

The Budget Committee recommended to the Executive Committee that City Council approve the following:

- 1. Funds in the amount of \$1,797,675.00 be transferred from the Toronto Police Services Capital Budget for 41 Division to 14 Division (funded from the Land Acquisition Reserve Fund); funds in the amount of \$1,456,325.00 be transferred from the Toronto Police Services Capital Budget for 41 Division to 11 Division and funds in the amount of \$1,708,000.00 from Division 54 to 11 Division; and the Toronto Police Services 2007 Capital Budget be increased by \$164,750.00 for the 11 Division Facility, funded from the Land Acquisition Reserve Fund (XR1012);**
- 2. Authority be granted to enter into an Agreement of Purchase and Sale with the Toronto District School Board to acquire the property municipally known as 2054 Davenport Road at a purchase price of \$8,700,000.00 plus applicable taxes and registration fees, estimated at \$129,075.00, to be funded from the 2007 Capital Budget of the Toronto Police Service, substantially on the terms outlined in Appendix "A" to this report and on such other terms and conditions as may be acceptable to the Chief Corporate Officer, and in a form satisfactory to the City Solicitor.**
- 3. Authority be granted to enter into an Agreement of Purchase and Sale with the Toronto District School Board to acquire the property municipally known as 11 St. Annes Road at a purchase price of \$5,940,000.00 plus applicable taxes and registration fees, estimated at \$87,675.00, to be funded from the 2007 Capital Budget of the Toronto Police Service, substantially on the terms outlined in Appendix "A" to this report and on such other terms and conditions as may be acceptable to the Chief Corporate Officer and in a form satisfactory to the City Solicitor.**

- 4. Each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to execute, on behalf of the City, the Agreement of Purchase and Sale(s) with the Toronto District School Board.**
- 5. The City Solicitor be authorized to complete the transaction(s) on behalf of the City including making payment of any necessary expenses and amending the closing date and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.**
- 6. At the time the new Toronto Police Services facility at 2054 Davenport Road is occupied, Toronto Police Service shall declare surplus to its needs the property municipally known as 209 Mavety Street where the current 11 Division facility is located and transfer jurisdiction of 209 Mavety Street to the Facilities & Real Estate Services Division.**
- 7. At the time the new Toronto Police Services facility at 11 St. Annes Road is occupied, Toronto Police Service shall declare surplus to its needs the property municipally known as 150 Harrison Road where the current 14 Division facility is located and transfer jurisdiction of 150 Harrison Road to the Facilities & Real Estate Services Division.**
- 8. That the proposed Toronto Police Service facility at 2054 Davenport Road be subject to site plan approval and that City Planning staff be directed to hold a community consultation meeting as part of the site plan process.**
- 9. That City Council urge and request the Toronto District School Board (TDSB) and the Toronto Catholic District School Board (TCDSB) to recommence negotiations with the “Cameoes” Organization to find them another suitable location to their satisfaction in the Davenport community within Wards 17 or 18.**

Financial Impact:

The total cost of these acquisitions, in the amount of approximately \$14,856,750.00 including all taxes and charges. Total costs for the 11 Division Facility are \$8,829,075.00 and \$6,027,675.00 for the 14 Division Facility. Funds are available in the 2007 Toronto Police Services Approved Capital Budget in the amount of \$5,500,000.00 and \$4,230,000.00 respectively, funded from the Land Acquisition Reserve Fund. The shortfall is \$5,126,750.00. Funding is available for the acquisition of land for two other division facilities in the amount of \$4,962,000.00. The remainder of \$164,750.00 is available in the Land Acquisition Reserve Fund. It is recommended that funding for the two other division facilities (41 and 54) be transferred to divisions 11 and 14 and that the Police Services 2007 Capital Budget be increased by \$164,750.00, zero net, funded from the Land Acquisition Reserve Fund.

A break down of the contemplated costs for the various properties can be found in Appendices “A” and “C”.

Payments to all Owners:	Purchase price (less GST)	\$14,640,000.00
	Total Payment to TDSB	\$14,640,000.00
City's Closing Costs:	Land Transfer Taxes – app.	\$216,550.00
	Registration Costs –app.	\$200.00
Net Cost to City less GST		\$14,856,750.00

GST on Total Purchase Price of all Properties \$878,400.00

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

Background:

The Budget Committee on November 13, 2007, considered a letter (November 8, 2007) from the Government Management Committee advising of the action taken by the Government Management Committee at its meeting on November 8, 2007.

for City Clerk

Merle MacDonald/acf
Item BU20-14

November 8, 2007

To: Budget Committee

From: Government Management Committee

Subject: Acquisition of Toronto District School Board's 2054 Davenport Road and
11 St. Annes Road Sites

Recommendations:

The Government Management Committee recommends that:

- 1. Funds in the amount of \$1,797,675.00 be transferred from the Toronto Police Services Capital Budget for 41 Division to 14 Division (funded from the Land Acquisition Reserve Fund); funds in the amount of \$1,456,325.00 be transferred from the Toronto Police Services Capital Budget for 41 Division to 11 Division and funds in the amount of \$1,708,000.00 from Division 54 to 11 Division; and the Toronto Police Services 2007 Capital Budget be increased by \$164,750.00 for the 11 Division Facility, funded from the Land Acquisition Reserve Fund (XR1012);**
- 2. Authority be granted to enter into an Agreement of Purchase and Sale with the Toronto District School Board to acquire the property municipally known as 2054 Davenport Road at a purchase price of \$8,700,000.00 plus applicable taxes and registration fees, estimated at \$129,075.00, to be funded from the 2007 Capital Budget of the Toronto Police Service, substantially on the terms outlined in Appendix "A" to this report and on such other terms and conditions as may be acceptable to the Chief Corporate Officer, and in a form satisfactory to the City Solicitor.**
- 3. Authority be granted to enter into an Agreement of Purchase and Sale with the Toronto District School Board to acquire the property municipally known as 11 St. Annes Road at a purchase price of \$5,940,000.00 plus applicable taxes and registration fees, estimated at \$87,675.00, to be funded from the 2007 Capital Budget of the Toronto Police Service, substantially on the terms outlined in Appendix "A" to this report and on such other terms and conditions as may be acceptable to the Chief Corporate Officer and in a form satisfactory to the City Solicitor.**
- 4. Each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to execute, on behalf of the City, the Agreement of Purchase and Sale(s) with the Toronto District School Board.**
- 5. The City Solicitor be authorized to complete the transaction(s) on behalf of the City including making payment of any necessary expenses and amending the closing date**

and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.

- 6. At the time the new Toronto Police Services facility at 2054 Davenport Road is occupied, Toronto Police Service shall declare surplus to its needs the property municipally known as 209 Mavety Street where the current 11 Division facility is located and transfer jurisdiction of 209 Mavety Street to the Facilities & Real Estate Services Division.**
- 7. At the time the new Toronto Police Services facility at 11 St. Annes Road is occupied, Toronto Police Service shall declare surplus to its needs the property municipally known as 150 Harrison Road where the current 14 Division facility is located and transfer jurisdiction of 150 Harrison Road to the Facilities & Real Estate Services Division.**
- 8. That the proposed Toronto Police Service facility at 2054 Davenport Road be subject to site plan approval and that City Planning staff be directed to hold a community consultation meeting as part of the site plan process.**
- 9. That City Council urge and request the Toronto District School Board (TDSB) and the Toronto Catholic District School Board (TCDSB) to recommence negotiations with the “Cameoes” Organization to find them another suitable location to their satisfaction in the Davenport community within Wards 17 or 18.**
- 10. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.**

The Government Management Committee approved the following recommendation No. 2 contained in the report (October 17, 2007) from the Chief Corporate Officer:

“2. This report be forwarded to the Budget Committee for consideration.”

Background:

The Government Management Committee, at its meeting on November 8, 2007, considered a report (October 17, 2007) from Chief Corporate Officer regarding the acquisition of Toronto District School Board's 2054 Davenport Road and 11 St. Annes Road Sites.

Communications:

- (i) (November 8, 2007) from Councillor Joe Pantalone;
- (ii) (November 7, 2007) from Councillor Adam Giambrone;
- (iii) (November 7, 2007) from Dorothy Gray;

(iv) (November 7, 2007) from Timothy J. Bartkiw, Member, Hayden Park Residents Association.

Speakers:

- Alan Davidson
- Cathy Byrd
- Bruce McKay
- Alex Ling
- Don Panos, St. Clair Gardens B.I.A.
- Tim Bartkiw
- Kim Derry
- Tony Veneziano

City Clerk

Yvonne Davies/tk
Item GM9.20



STAFF REPORT ACTION REQUIRED

Acquisition of Toronto District School Board's 2054 Davenport Road and 11 St. Annes Road sites

Date:	October 17, 2007
To:	Government Management Committee
From:	Chief Corporate Officer
Wards:	Wards 17 & 18 – Davenport
Reference Number:	P:\2007\Internal Services\F&re\Gm07111F&re – (AFS 2306)

SUMMARY

Real Estate Services seeks authority for the City to acquire the properties municipally known as 2054 Davenport Road and 11 St. Annes Road. These properties are required to relocate Toronto Police Service's (TPS) current 11 Division and 14 Division facilities.

Negotiations with the Toronto District School Board (TDSB) have been ongoing since August of 2007. The City and TDSB have agreed to the Terms and Conditions as shown on Appendices "A" and "C" to this report and describe the salient terms of these proposed acquisitions which are considered fair and reasonable.

RECOMMENDATIONS

Chief Corporate Officer Recommends that:

- (1) Funds in the amount of \$1,797,675.00 be transferred from the Toronto Police Services Capital Budget for 41 Division to 14 Division (funded from the Land Acquisition Reserve Fund); funds in the amount of \$1,456,325.00 be transferred from the Toronto Police Services Capital Budget for 41 Division to 11 Division and funds in the amount of \$1,708,000.00 from Division 54 to 11 Division; and the Toronto Police Services 2007 Capital Budget be increased by \$164,750.00 for the 11 Division Facility, funded from the Land Acquisition Reserve Fund (XR1012);
- (2) this report be forwarded to the Budget Committee for consideration.

- (3) authority be granted to enter into an Agreement of Purchase and Sale with the Toronto District School Board to acquire the property municipally known as 2054 Davenport Road at a purchase price of \$8,700,000.00 plus applicable taxes and registration fees, estimated at \$129,075.00, to be funded from the 2007 Capital Budget of the Toronto Police Service, substantially on the terms outlined in Appendix "A" to this report and on such other terms and conditions as may be acceptable to the Chief Corporate Officer, and in a form satisfactory to the City Solicitor.
- (4) authority be granted to enter into an Agreement of Purchase and Sale with the Toronto District School Board to acquire the property municipally known as 11 St. Annes Road at a purchase price of \$5,940,000.00 plus applicable taxes and registration fees, estimated at \$87,675.00, to be funded from the 2007 Capital Budget of the Toronto Police Service, substantially on the terms outlined in Appendix "A" to this report and on such other terms and conditions as may be acceptable to the Chief Corporate Officer and in a form satisfactory to the City Solicitor.
- (5) each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to execute, on behalf of the City, the Agreement of Purchase and Sale(s) with the Toronto District School Board.
- (6) the City Solicitor be authorized to complete the transaction(s) on behalf of the City including making payment of any necessary expenses and amending the closing date and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.
- (7) at the time the new Toronto Police Services facility at 2054 Davenport Road is occupied, Toronto Police Service shall declare surplus to its needs the property municipally known as 209 Mavety Street where the current 11 Division facility is located and transfer jurisdiction of 209 Mavety Street to the Facilities & Real Estate Services Division.
- (8) at the time the new Toronto Police Services facility at 11 St. Annes Road is occupied, Toronto Police Service shall declare surplus to its needs the property municipally known as 150 Harrison Road where the current 14 Division facility is located and transfer jurisdiction of 150 Harrison Road to the Facilities & Real Estate Services Division.
- (9) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

The total cost of these acquisitions, in the amount of approximately \$14,856,750.00 including all taxes and charges. Total costs for the 11 Division Facility are \$8,829,075.00 and \$6,027,675.00 for the 14 Division Facility. Funds are available in the 2007 Toronto Police Services Approved Capital Budget in the amount of \$5,500,000.00 and \$4,230,000.00 respectively, funded from the Land Acquisition Reserve Fund. The shortfall is \$5,126,750.00. Funding is available for the acquisition of land for two other division facilities in the amount of \$4,962,000.00. The remainder of \$164,750.00 is available in the Land Acquisition Reserve Fund. It is recommended that funding for

the two other division facilities (41 and 54) be transferred to divisions 11 and 14 and that the Police Services 2007 Capital Budget be increased by \$164,750.00, zero net, funded from the Land Acquisition Reserve Fund.

A break down of the contemplated costs for the various properties can be found in Appendices “A” & “C”.

Payments to all Owners:	Purchase price (less GST)	\$14,640,000.00
	Total Payment to TDSB	\$14,640,000.00
City's Closing Costs:	Land Transfer Taxes – app.	\$216,550.00
	Registration Costs –app.	\$200.00
Net Cost to City less GST		\$14,856,750.00

GST on Total Purchase Price of all Properties \$878,400.00

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

DECISION HISTORY

In 1999 the TPS identified the need to relocate both the 11 and 14 Division facilities. The needs of both Divisions have outgrown the current facilities located at 209 Mavety Street (11 Division) and 150 Harrison Road (14 Division) which are both in need of constant repair.

The subject properties are owned by the Toronto District School Board (TDSB) and were declared surplus to their needs pursuant to the provisions of *Ontario Regulation 444/98* made under the Education Act, R.S.O. 1990. At its meeting of June 27, 2007 the Board of the TDSB approved the sale of 2054 Davenport Road and 11 St. Annes Road to the City of Toronto.

ISSUE BACKGROUND

In 1999 Toronto Police Service (TPS) requested Real Estate Services to identify potential sites for the relocation of their 11 and 14 Division facilities. Finding new sites for the 11 and 14 Division facilities are considered two of the top three property requirements of the TPS. The search for new sites for 11 and 14 Divisions has been a challenging one. The availability of sites having a suitable size and location to accommodate a new Police Division are at a premium within the existing boundaries of both 11 and 14 Divisions. The properties located at 2054 Davenport Road and 11 St. Annes Road, were respectively deemed by TPS as desirable locations and being of a suitable size to accommodate their new 11 and 14 Division facilities.

COMMENTS

Negotiations with the TDSB have resulted in agreement among staff for the purchase price of \$14,640,000.00 for the two subject properties substantially on the terms and conditions outlined in Appendices “A” and “C” to this report. If City Council were to approve the recommendations contained within this staff report, staff at TDSB would report on the Offer to the first available

meeting of the TDSB. The Deputy City Manager and Chief Financial Officer has confirmed that funding is available in the XR1012 Land Acquisition Reserve Fund.

As a result of this acquisition, the City's Real Estate portfolio will be advanced. TPS will have two sites that will accommodate the new 11 and 14 Divisional facilities. Additionally, TPS will declare surplus to its needs the current 11 and 14 Division facilities site located at 209 Mavety Street and 150 Harrison Road upon occupation of the respective new facilities located at 2054 Davenport Road and 11 St. Anne's Road. That will make the properties located at 209 Mavety Road 150 Harrison Road available for other interested City Divisions or ABC's. If either of these properties are jurisdictionally transferred to another City Division or ABC, a cost savings will be experienced as the City would not have to purchase another property on the open market to facilitate the identified use. Failing an expression of interest from City Divisions or ABC's Council could declare the properties surplus to City needs and sell the properties on the open market.

Staff considers these Offers to Sell to the City to be fair and reasonable and therefore recommend the approval of these transactions.

CONTACT

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SIGNATURE

Bruce Bowes, P. Eng.
Chief Corporate Officer

ATTACHMENTS

Appendix "A" - Summary of Terms and Conditions 2054 Davenport Road
Appendix "B" - Location Map 2054 Davenport Road
Appendix "C" - Summary of Terms and Conditions 11 St. Annes Road
Appendix "D" - Location Map 11 St. Annes Road

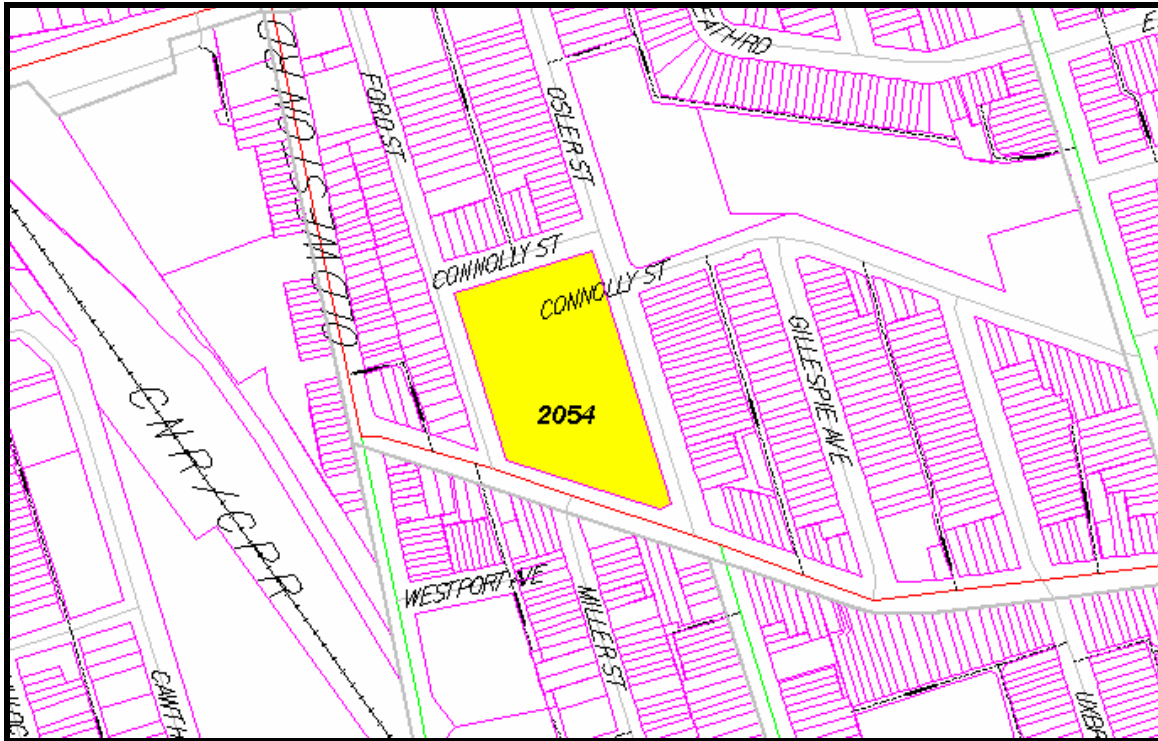
APPENDIX "A"

Terms and Conditions – 2054 Davenport Road

Owner:	Toronto District School Board
Location:	2054 Davenport Road, Toronto (see Appendix "B")
Legal Description:	All of Block Z on Registered Plan 1438, All of Lots 13 and 14, and Part of Lot 15 and Lane on Registered Plan 141, in the City of Toronto, further designated as PIN 21323-0124 and under the Polaris Property Identification System.
Approximate Lot Size:	3.15 acres (1.27 hectares)
Improvements:	School Building (vacant)
Zoning:	R2 Z0.6 H10.0 and R4 Z1.0 H10.0 - Residential
Official Plan:	Neighbourhoods
Appraised Value:	\$8,700,000.00
Irrevocable Date:	90 days
Due Diligence:	120 business days (with a possible extension of 30 days) following acceptance by the Toronto District School Board
Closing Date:	30 business days following the expiry of the Due Diligence Condition
Deposit:	\$2.00
Conditions:	Satisfactory results of the Due Diligence Condition

COSTS:	Payment to Vendor:	
	Sale Price:	\$8,700,000.00
	City's Closing Costs (approximately):	
	Land Transfer Tax	\$ 128,975.00
	Registration Costs	\$ 100.00
	Total Closing Costs	\$ 129,075.00
	Total Acquisition Costs of City	\$8,829,075.00
GST on Purchase Price \$522,000.00		

APPENDIX "B"
2054 Davenport Road
(Ward 17- Davenport)





APPENDIX “C”

Terms and Conditions – 11 St Annes Road

Owner:	Toronto District School Board
Location:	11 St. Annes Road, Toronto (see Appendix “D”)
Legal Description:	All of Lots 11-17 on Registered Plan D158 in the City of Toronto, further designated as PIN 21279-0183 under the Polaris Property Identification System.
Approximate Lot Size:	1.69 acres (0.68 hectares)
Improvements:	School Building (tenanted-short term)
Zoning:	R2 Z0.6 H10.0 - Residential
Official Plan:	Neighbourhoods
Appraised Value:	\$5,940,000.00
Irrevocable Date:	90 days

Due Diligence:	120 business days (with a possible extension of 30 days) following acceptance by the Toronto District School Board
Closing Date:	30 business days following the expiry of the Due Diligence Condition
Deposit:	\$2.00
Conditions:	Satisfactory results of the Due Diligence Condition

COSTS:	Payment to Vendor:	
	Sale Price:	\$5,940,000.00
	City's Closing Costs (approximately):	
	Land Transfer Tax	\$ 87,575.00
	Registration Costs	<u>\$ 100.00</u>
	Total Closing Costs	\$ 87,675.00
	Total Acquisition Costs of City	\$6,027,675.00
	GST on Purchase Price	\$356,400.00

APPENDIX "D"
11 St. Annes Road
(Ward 18 – Davenport)

