



STAFF REPORT ACTION REQUIRED

Authority to Direct City's Title Conveyance to TEDCO's Purchasers

Date:	October 29, 2007
To:	Government Management Committee
From:	Chief Corporate Officer
Wards:	Various Wards
Reference Number:	P:\2007\Internal Services\F&re\Gm07116F&re – (AFS 6270)

SUMMARY

This report requests authority to facilitate the completion of transactions of purchase and sale entered into by TEDCO for the property between Midland Avenue and Brimley Road, north of St. Clair Avenue East, (previously authorized by City Council to be transferred by the City to TEDCO) to be transferred directly from the City to the purchasers with which TEDCO has entered into agreements of purchase and sale, provided that TEDCO has received prior approval of these transactions from City Council. Further, this report seeks authority to broaden this permission to include other lands that City Council has agreed to transfer to TEDCO, provided that City Council has approved those transactions by TEDCO.

RECOMMENDATIONS

The Chief Corporate Officer recommends that:

1. The City, at the direction of TEDCO, transfer the lands between Midland Avenue and Brimley Road, north of St. Clair Avenue East, all as shown in Attachment 1, directly to the purchaser or purchasers with which TEDCO has entered into agreements of purchase and sale, provided that TEDCO has executed the City's required transfer agreement and the purchaser transactions TEDCO has entered into have received prior approval by City Council;
2. If TEDCO seeks to transfer other lands, such as 3575 Danforth Avenue, parts of 1035 Sheppard Avenue, or any other property that City Council has agreed to

- transfer based on the terms of the City's transfer agreement to TEDCO, directly to the purchaser or purchasers with which TEDCO has entered into agreements of purchase and sale and that have been approved by City Council, then the City, at TEDCO's direction, may convey directly to the purchaser;
3. The City Solicitor be authorized to complete the transactions, including the adjustment of closing and other transaction dates, the completion of necessary registrations and payment of any necessary expenses; and
 4. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

The adoption of the recommendations in this report will have no financial impact on the City, as TEDCO will execute a transfer agreement with the City based on the terms of transfer approved by Council on July 25, 26, and 27, 2006. Implementation of the recommendations in this report will permit TEDCO to realize savings in the payment of Land Transfer Tax.

DECISION HISTORY

By its adoption of Consolidated Clause No. 2 in Joint Report No. of 1 of the Policy and Finance Committee and Administration Committee at its meeting on May 23, 24 and 25, 2006, Council authorized the transfer of the property known as 3575 Danforth Avenue to TEDCO to permit the property to be developed and sold by TEDCO.

By its adoption of consolidated Clause No. 18 in Report No. 5 of the Administration Committee at its meeting on July 25, 26, and 27, 2006, Council authorized the transfer of the property known as 1035 Sheppard Avenue West to TEDCO to permit the property to be developed and sold by TEDCO.

By its adoption of consolidated Clause No. 21 in Report No. 5 of the Administration Committee at its meeting on July 25, 26, and 27, 2006, Council authorized the transfer of the property known as lands between Midland Avenue and Brimley Road, North of St. Clair Avenue East, to TEDCO to permit the property to be developed and sold by TEDCO.

COMMENTS

In 2006, City Council authorized the transfer of three properties to TEDCO to permit them to be developed and sold by TEDCO. City Council established the terms of the transaction for each property, to be set out in a transfer agreement between the parties at the time of conveyance.

TEDCO has entered into agreements of purchase and sale with developers in respect of one of the properties, lands between Midland Avenue and Brimley Road, north of St Clair East. TEDCO has asked staff to seek authority for conveyancing purposes only to transfer this property directly to the purchasers with which TEDCO has entered into agreements of purchase and sale.

The details of the transactions of purchase and sale will be the subject matter of a separate report by TEDCO to the Economic Development Committee and City Council, as (pursuant to the TEDCO Shareholder Director) TEDCO must obtain City Council authority to dispose of property. The proposed direct conveyance to TEDCO's purchasers will permit TEDCO to realize savings in the payment of Land Transfer Tax, and will facilitate the timely completion of the transactions provided for in the agreements of purchase and sale that TEDCO has and will enter into, if City Council approves the TEDCO disposition.

As TEDCO may enter into additional agreements of purchase and sale in respect of other properties for which direct conveyance would facilitate development of the properties, TEDCO requests a more general authority be given by City Council for direct conveyance to a TEDCO purchaser provided that TEDCO has executed a transfer agreement setting out the terms established by City Council and provided City Council has approved TEDCO's agreement of purchase and sale based on being comfortable with the purchaser and the terms of the transaction.

CONTACT

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SIGNATURE

Bruce Bowes, P. Eng.
Chief Corporate Officer

ATTACHMENT 1 – LOCATION OF MIDLAND –ST CLAIR PROPERTY