

Consent to Sign Development Applications for Land abutting Closed Scott Street Road Allowance

Date:	January 25, 2008
To:	Toronto & East York Community Council
From:	Chief Corporate Officer
Wards:	Ward 28 – Toronto Centre-Rosedale
Reference Number:	P:\2008\Internal Services\F&re\Te08011F&re-(AFS 6890)

SUMMARY

The purpose of this report is to authorize the Chief Corporate Officer and the Director of Real Estate to provide consent to the Development Applications on behalf of the City as a landowner of the closed Scott Street road allowance.

RECOMMENDATIONS

The Chief Corporate Officer recommends that:

1. Subject to Recommendation 2:
 - a. The City consent to the inclusion of the portion of the closed Scott Street road allowance, being a portion of the closed Scott Street road allowance on Lot 26, Plan 12161 and shown as Part 1 on Sketch No. PS-2007-304 (the “Closed Road”) in its rezoning and site plan approval applications related to the site (“Development Applications”), including authorization to Greater Toronto Transit Authority (“GO Transit”) and Castlepoint Realty Partners Limited (“Castlepoint”) to act as agent of the City to sign applicable Development Applications, on terms satisfactory to the City Solicitor;
 - b. The City enter into any property owner’s agreement necessary under GO Transit and Castlepoint’s Development Applications to include the Closed Road therein, on terms satisfactory to the City Solicitor;

- c. The Chief Corporate Officer and the Director of Real Estate Services be authorized severally to sign on behalf of the City any Development Applications and related documents in connection with the Closed Road;
 - d. The appropriate City officials be authorized to take the necessary steps to give effect to the foregoing.
2. That all actions authorized in Recommendation 1 be subject to the following restrictions and limitations:
- a. Such actions shall be taken by or on behalf of the City in its capacity as owner of the Closed Road and not in its capacity as a planning authority under the *Planning Act* or the *City of Toronto Act, 2006* or otherwise; and
 - b. Such actions are not intended to and do not fetter City Council's right and ability to pass land-use bylaws under the *Planning Act* or the *City of Toronto Act, 2006*.

Financial Impact

There are no financial implications resulting from this approval.

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

DECISION HISTORY

In a letter dated September 26, 2007, GO Transit requested the transfer of the Closed Road.

Through the Property Management Committee process, Facilities and Real Estate staff identified the Closed Road as surplus to municipal requirements. The Property Management Committee at its meeting of December 17, 2007, recommended that through the Chief Corporate Officer's delegated authority, the Closed Road be declared surplus and an offer to purchase the Closed Road be invited from GO Transit.

ISSUE BACKGROUND

In March 2007, Development Applications were submitted to the City for a mixed use development at lands located at 1 Front Street East. The plans include an expansion of the Hummingbird Centre for the Performing Arts cultural facilities and a 57-storey residential tower located on the northeast corner of Yonge Street and The Esplanade.

In October 2007, Development Applications for the GO Transit lands at 5-7 The Esplanade were submitted to the City. GO Transit and Castlepoint intend to construct an office and parking structure on the site.

The Closed Road abuts the site and was stopped up and closed through By-Law No. 17527. The Closed Road was not included in the submitted Development Applications.

However, GO Transit expresses interest in amending its Development Applications to include the Closed Road into the parking structure portion of the development. The parking structure would accommodate the residential parking required for the redevelopment at 1 Front Street East. GO Transit requests consent from the City to allow Castlepoint to include the Closed Road into their amended Development Applications.

COMMENTS

Details of the Closed Road are as follows:

Subject Property	Part of Closed Scott Street Road Allowance, crossing Union Station Rail Corridor
Legal Description:	Part of Lot 26, Plan 12161; also shown as Part 1 on Sketch No. PS-2007-034
Approximate Size:	20.3 m x 15.5 m ± (66.6 ft x 50.9 ft ±)
Approximate Area:	312.4 m ² ± (3,362.8 ft ² ±)
Zoning:	T - Transit
Official Plan:	Utility Corridors
Current Status:	Closed Road Allowance

CONTACT

Joe Casali
 Director of Real Estate Services
 Tel: (416) 392-7202
 E-mail: jcasali@toronto.ca

Chuck Donohue, P. Eng.
 Executive Director, Facilities & Real Estate
 (416) 397-5151
cdonohue@toronto.ca

SIGNATURE

Bruce Bowes, P. Eng.
 Chief Corporate Officer

ATTACHMENTS

Appendix “A” – Site Map