



STAFF REPORT ACTION REQUIRED

Donation of land from Bell Canada to City of Toronto, 2413R Lake Shore Boulevard West

Date:	September 21, 2009
To:	Government Management Committee
From:	Chief Corporate Officer and General Manager, Parks, Forestry & Recreation
Wards:	Ward 6 – Etobicoke – Lakeshore
Reference Number:	P:\2009\Internal Services\F&re\Gm09076F&re – (AFS 10579)

SUMMARY

This report concerns land owned by Bell Canada, known as 2413R Lake Shore Boulevard West (the "Property"). The purpose of this report is twofold. Firstly, the report seeks City Council's approval of a donation of the Property from Bell Canada to the City as required under the Policy on Donations to the City for Community Benefits (the "Donations Policy"), described below. Secondly, the report seeks authority from City Council for the City to acquire the Property in accordance with a written offer to donate which has been submitted to the City by Bell Canada.

As proposed by Bell Canada and outlined in this report, the donation of the Property will comply with the Donations Policy and the terms of acquisition under the offer to donate are fair and reasonable.

RECOMMENDATIONS

The Chief Corporate Officer and the General Manager of Parks, Forestry and Recreation recommend that:

1. City Council approve the donation of the property known as 2413R Lake Shore Boulevard West (the "Property"), as proposed in the offer to donate submitted by Bell Canada, including future and ongoing obligations arising from the donation, as detailed in the Financial Impact Statement below.

2. The offer to donate the Property from Bell Canada be accepted substantially on the terms outlined in Appendix "A" to this report, and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept the offer on behalf of the City.
3. On completion of the offer to donate, a receipt for income tax purposes in the amount of \$22,000.00, be issued by the City to Bell Canada.
4. The City Solicitor be authorized to complete these transactions 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.
5. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

The value of the Property established at \$22,000.00, was determined by way of an independent appraisal dated April 22, 2009, prepared on behalf of Facilities and Real Estate. A receipt for income tax purposes recognizing the value of the donation in the amount of \$22,000.00 will be issued to Bell Canada at the time that the Property is transferred to the City.

Capital costs that will be incurred with respect to the Property in order to demolish the existing building, remove the fence and develop the site to base park condition are expected to not exceed \$20,000.00. The funds are available in the Parks, Forestry and Recreation 2009 Capital Budget in account CPR115-39-01 (Parkland Acquisition FY2009). Funding for the City's closing costs and Bell Canada's legal charges as detailed in Appendix "A", are also to be paid from account CPR115-39-01.

The operating funding for this additional area has been included in the Parks, Forestry and Recreation 2009 Operating Budget. No additional operating funding will be required.

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

DECISION HISTORY

The "Donation Policy" referred to in this report is the Policy on Donations to the City for Community Benefits, being consolidated clause 7(3) of the Policy and Finance Committee Report 7, which was considered by City Council in its meeting on September 25, 26, 27 and 28, 2006. The Donation Policy requires all donations of land to receive approval of City Council.

COMMENTS

The Property abuts Amos Waites Park, an important park with a significant recreation facility forming part of the waterfront trail. Following acquisition under the offer to donate, the Property will form part of Amos Waites Park.

Negotiations with Bell Canada have resulted in an offer to donate the Property as outlined in Appendix "A" of this report. Following completion of the offer to donate, the Property will be held in the name of the City.

In accordance with the City's Donation Policy, the offer to donate contains a declaration on behalf of Bell Canada that the donation of the Property is made unconditionally, voluntarily and at arms-length from any concurrent decision-making process of the City or its agencies, boards or commissions.

Staff considers offer to donate to be at arms length, fair and reasonable.

CONTACT

Joe Casali
Director, Real Estate Services
Tel (416) 392-7202
Fax (416) 392-1880
jcasali@toronto.ca

Anne Marra
Director, Parks Development &
Infrastructure Management
Tel: (416) 394-5723
Fax: (416) 394-8935
amarra@toronto.ca

SIGNATURE

Bruce Bowes, P.Eng.
Chief Corporate Officer

Brenda Librecz
General Manager, Parks, Forestry &
Recreation

ATTACHMENTS

Appendix "A" - Terms and Conditions
Appendix "B" - Sketch
Appendix "C"- Location Map

Appendix “A”

Terms and Conditions of Offer to Donate– 2413R Lake Shore Boulevard West

Donor:	Bell Canada
Location:	Part of the property municipally known as 2413R Lake Shore Boulevard West (as shown on sketch in Appendix “B”)
Legal description:	Parcel 6-1, Section M244 being Part of Lot 6, Plan M244, identified in PIN 07624-0027-LT, Toronto (formerly City of Etobicoke)
Appraised value of Property:	\$22,000.00 (tax receipt to be issued to Bell Canada)
Consideration for Property:	\$NIL
Legal costs to be paid to donor:	\$2,000.00 plus GST
Closing costs:	\$200.00
Approximate lot size:	603.13 ft ² (56.03m ²)
Irrevocable date:	November 13, 2009
Closing date:	60 days following the expiry of the Due Diligence
Due diligence period:	40 days following acceptance by the City of Toronto
Conditions:	<p>City to satisfy itself that the Property is suitable for the City’s purposes.</p> <p>Bell Canada to deliver on closing a declaration in accordance with the Donation Policy confirming that the donation of the Property is made unconditionally, voluntarily and at arms-length from any concurrent decision-making process of the City or its agencies, boards or commissions</p>