



City Council

Notice of Motion

MM37.34	ACTION			Ward:6
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Transfer of 260 Eighth Street and 124 Birmingham Street by a subsidiary of City of Toronto Economic Development Corporation carrying on business as Toronto Port Lands Company - by Councillor Mark Grimes, seconded by Councillor Ana Bailão

** Notice of this Motion has been given.
* This Motion is subject to referral to the Executive Committee. A two thirds vote is required to waive referral.*

Recommendations

Councillor Mark Grimes, seconded by Councillor Ana Bailão, recommends that:

1. City Council exempt the property owned by Arrowhead New Toronto East Inc. municipally known as 260 Eighth Street and 124-126 Birmingham Street (the "Property") from Recommendation 17b of Item EX24.1, adopted by City Council on October 29 and 3, 2008, and the Shareholder Direction for City of Toronto Economic Development Corporation carrying on business as Toronto Port Lands Company ("TPLC") be amended to reflect this exemption.
2. City Council consent to the sale of the Property by Arrowhead New Toronto East Inc to a purchaser or purchasers proposed by Build Toronto Inc. on terms and conditions recommended by Build Toronto's Board of Directors and satisfactory to the Board of Directors of the Toronto Port Lands Company.
3. City Council direct that a declaration by the City, in its capacity as sole shareholder of the Toronto Port Lands Company, be delivered to the Board of Directors of the Toronto Port Lands Company, directing that the Toronto Port Lands Company pay the net proceeds from the sale of the Property as a dividend to the City.
4. City Council direct that a portion of the dividend in such amount as the City Manager may determine be paid by the City to Build Toronto.

Summary

By City Council's adoption on October 29 and 30, 2008 of Recommendation 17(b) of Executive Committee Item EX24.1, City Council directed that conditional upon a satisfactory review by the City's Deputy City Manager and Chief Financial Officer (CFO) of the financial and real estate issues and subject to the execution of an agreement with Build Toronto on terms and conditions satisfactory to the CFO and in a form satisfactory to the City Solicitor, all properties outside the waterfront planning area then owned by City of Toronto Economic Development Corporation ("TEDCO") and its subsidiaries be transferred to Build Toronto Inc. for nominal consideration, to begin the process of unlocking the value of land holdings of the City.

By Staff Report to the Executive Committee dated April 22, 2009, it was confirmed that one of the properties of TEDCO to be transferred to Build Toronto was 260 Eighth Street and 124-126 Birmingham Street (the "Property") with issues noted as follows: Currently Vacant. Environmental issues from former industrial occupancy.

The Property is registered in the name of a subsidiary corporation of TEDCO, being Arrowhead New Toronto East Inc.

Since 2009 Build Toronto has contributed its development, environmental management and marketing expertise on the Property.

Build Toronto is in negotiations with a purchaser for a large portion of the Property for the development of a new facility which would retain the employment use of the Property. Under environmental legislation transferring title of contaminated land to Build Toronto may subject it to onerous remediation obligations. It is therefore proposed to transfer the Property directly from the current registered owner to a purchaser or purchasers.

The adoption by Council of this Motion would enable Arrowhead to transfer title directly to the purchaser or purchasers proposed by Build Toronto.

(Submitted to City Council on July 16 and 17, 2013 as Member MM37.34)

Background Information (City Council)

Member Motion MM37.34

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-60187.pdf>