

City Council**Motion Without Notice**

MM35.27	ACTION			Ward:27
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**Expropriation of property located at the rear of 8 Cumberland Street -
by Councillor Kristyn Wong-Tam, seconded by Councillor Janet Davis**

** Notice of this Motion has not been given. A two-thirds vote is required to waive notice.
* This Motion is subject to a re-opening of Item TE23.8. A two-thirds vote is required to re-open that Item. If re-opened, the previous Council decision remains in force unless Council decides otherwise.
This Motion has been deemed urgent by the Chair.*

Confidential Attachment - Proposed or pending land acquisition by the City or one of its agencies or corporations

Recommendations

Councillor Kristyn Wong-Tam, seconded by Councillor Janet Davis, recommends that:

1. City Council adopt the following recommendations in the report (December 4, 2017) from the Deputy City Manager, Internal Corporate Services:
 1. City Council delete part 6 of its decision on Item TE23.8, "826-834 Yonge Street and 2-8 Cumberland Street Zoning amendment Application - Final Report", and instead adopt the following: "6. City Council authorize the initiation of the expropriation process for the City to acquire a property located at the rear of 8 Cumberland Street depicted as the "Orphaned Lane" on Attachment 2 (the "Lands") to the report (March 14, 2017) from the Director, Community Planning, Toronto and East York District, for the completion of a public laneway, conditional upon the Owner of the property located at 8 Cumberland Street entering into a binding agreement, in a form satisfactory to the City Solicitor, in which, among other things, the Owner agrees to pay costs associated with the City's acquisition or expropriation of the Lands and the remediation of the subject lands to City standards for laneway purposes as set out in Confidential Attachment 1 to the December 4, 2017 report from the Deputy City Manager, Internal Corporate Services and provides such funding to secure the aforementioned obligations satisfactory to the Director, Real Estate Services and the General Manager, Transportation Services, prior to publishing notices of Application for Approval to Expropriate Land."
 2. City Council amend the 2018-2027 Capital Budget and Plan for Facilities, Real Estate, Environment & Energy (FREEE) to add a new capital project called "8 Cumberland Street" with project costs, cash flows and funding sources as identified in Confidential

Attachment 1.

3. City Council direct that the confidential information in Confidential Attachment 1 shall remain confidential at the discretion of the City Solicitor.

Summary

At its meeting held on April 26, 27 and 28, 2017, City Council adopted Item TE23.8, that included Part 6 which authorized the initiation of the expropriation process for the City to acquire a property located at the rear of 8 Cumberland Street for the completion of a public laneway, conditional upon the Owner of the property located at 8 Cumberland Street entering into a binding agreement in which, among other things, the Owner agrees to pay all the costs associated with the City's acquisition or expropriation and the remediation of the subject lands to City standards for laneway purposes and provide such funding to secure the aforementioned obligations.

The attached report (December 4, 2017) from the Deputy City Manager, Internal Corporate Services contains a Confidential Attachment which addresses the estimated funding required to undertake this acquisition, seeks approval from City Council to delete Part 6 of its decision in Item TE23.8 and adopt alternative wording, to amend the 2018-2027 Capital Budget and Plan for Facilities, Real Estate, and Environment and Energy, and to keep the confidential information in Confidential Attachment 1 confidential at the discretion of the City Solicitor.

Requires Re-opening

Item TE23.8 - April 26, 27 and 28, 2017 only as it pertains to Part 6 of City Council's decision.

Background Information (City Council)

Member Motion MM35.27

(December 4, 2017) Report from the Deputy City Manager, Internal Corporate Services on Expropriation of property located at the rear of 8 Cumberland Street and Appendices A and B (<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-109729.pdf>)

Confidential Attachment 1