

Expropriation of property located at the rear of 8 Cumberland Street

Date: December 4, 2017

To: City Council

From: Deputy City Manager, Internal Corporate Services

Wards: 27 - Toronto Centre - Rosedale

REASON FOR CONFIDENTIAL INFORMATION

This report is about a proposed or pending land acquisition by the City or one of its agencies or corporations.

SUMMARY

On April 26, 27 and 28, 2017 City Council 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 a form satisfactory to the City Solicitor, in which, among other things, the Owner agrees to pay all 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 in an amount satisfactory to the Director, Real Estate Services and the General Manager, Transportation Services, prior to publishing notices of Application for Approval to Expropriate Land. The location of the subject property is shown on Appendix "A" and outlined as Part 1 on Appendix "B".

This report seeks approval from City Council to 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 replace it with recommendation 1 contained within this report.

RECOMMENDATIONS

The Deputy City Manager, Internal Corporate Services recommends that:

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 November 29, 2017 report from the Deputy City Manager, Internal Corporate Services and Acting Chief Financial Officer, 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.

FINANCIAL IMPACT

This report seeks Council approval to amend the 2018 - 2027 Council Approved Capital Budget and Plan for Facilities, Real Estate, Environment & Energy (FREEE) to include a new capital project called "8 Cumberland Street", with total project costs as outlined in Confidential Attachment 1 to this report which identifies the initial estimated costs of acquiring the subject property.

The proposed acquisition is to be funded in part through the Land Acquisition Reserve Fund (LARF). The Acting Chief Financial Officer confirms that there are adequate funds within the LARF to support the acquisition and that the LARF is an appropriate source of funding.

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

DECISION HISTORY

At its meeting held on April 26, 27 and 28, 2017 City Council adopted item TE23.8, "826-834 Yonge Street and 2-8 Cumberland Street Zoning amendment Application - Final Report", where City Council endorsed the recommendations in the report.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE23.8>

In particular, Recommendation 6 of that report, reads as follows:

"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 all 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 and provides such funding to secure the aforementioned obligations in an amount satisfactory to the Director, Real Estate Services and the General Manager, Transportation Services, prior to publishing notices of Application for Approval to Expropriate Land."

COMMENTS

This report addresses the estimated amount and source of funding required to undertake this acquisition. Comments regarding the estimated funding required to undertake this acquisition are found within Confidential Attachment - 1 to this report.

CONTACT

David Jollimore, Director, Real Estate Services, Tel.: (416) 392-8217
Email: David.Jollimore@toronto.ca

Josie Lavita, Executive Director, Financial Planning, Tel.: (416) 397-4229;
Email: Josie.Lavita@toronto.ca

SIGNATURE

Josie Scioli
Deputy City Manager,
Internal Corporate Services

ATTACHMENTS

Attachment 1 - Confidential Attachment
Appendix "A" –Location Map
Appendix "B" - Draft R-Plan

Appendix "A": Location Map & Sketch



Appendix "B" - Draft R-Plan

