

Approved pursuant to the Delegated Authority contained in Recommendation No. 14 of Executive Committee Item EX32.5 entitled "**Principles of a Real Estate Strategy and Declaration of Surplus for Sale/Transfer or Turnover to Build Toronto**" adopted by City Council on May 25, 26 and 27, 2009. City Council confirmatory By-law No.617-2009, enacted on May 27, 2009.

Prepared By:	Ishan Dasgupta	Division:	Real Estate Services
Date Prepared:	June 20, 2016	Phone No.:	397-4437

**Chief Corporate Officer has approval authority for:**

- To amend the method of disposal of any property that has been declared surplus for the purpose of Sale or Turnover to Build Toronto.
- To rescind the declaration of surplus with respect to properties which have been determined not to be appropriate for Build Toronto.

<b>Purpose</b>	To rescind the declaration of surplus in respect of a property which has been determined not to be appropriate for Build Toronto.
<b>Property</b>	51 Power Street, being Part of Block A, Roman Catholic Church Block, south side of Queen Street, York, Plan 108, designated as Parts 3, 4 & 5 on Plan 63R-3836 and shown as Part 1 on Sketch No. PS-2008-042, attached as Appendix "A" (the "Property")
<b>Actions</b>	<ol style="list-style-type: none"> <li>The declaration of surplus in respect of the Property is rescinded.</li> <li>The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.</li> </ol>
<b>Financial Impact</b>	There is no financial impact associated with rescinding a property.
<b>Comments</b>	<p>On May 25, 26 and 27 2009, City Council adopted with amendments, EX32.5 entitled "Principles of a Real Estate Strategy and Declaration of Surplus for Sale/Transfer or Turnover to Build Toronto". The Property was declared surplus by adoption of Recommendation 2(o) therein, subject to the retention of any interests required by law as well as those City and other interests required to be protected, with the intended method of disposal to be by way of a Transfer to Build Toronto on an "as is" basis, for nominal consideration.</p> <p>By Council's adoption of Recommendation No.4 and Appendix 5 in GM24.30 on September 30 and October 1 2009, Council granted authority to enter into a transfer agreement to transfer the Property to Build Toronto on terms set out therein. Although no transfer agreement has been entered into, the terms of transfer provide that the Property be used by the public as an off-leash dog walk area until at least 2 years after transfer of the Property to Build Toronto with the City being responsible for its maintenance. The Property has been continuously used for an off leash dog walk area since this time.</p> <p>The terms of transfer identified the possibility that the Property may have been a part of a cemetery (1822-1855) associated with the historical St. Paul's Roman Catholic Church. Build Toronto engaged a consultant to perform a Stage 1 Archaeological Resource Assessment that confirmed this prior usage which could be an impediment to its development.</p> <p>Consultation amongst Real Estate Services, the local Councillor, Build Toronto and Parks Forestry &amp; Recreation has resulted in the consensus that the current use of the Property as a dog walk area should be continued and Build Toronto is supportive of the City rescinding the declaration of surplus for transfer of the Property to it. Real Estate Services has confirmed with Parks, Forestry and Recreation that there is existing operational budget to maintain its current use as a dog walk area. Long term plans for the site are unidentified at present with a new park being contemplated. It is intended that operational management of the Property be transferred to Parks Forestry &amp; Recreation.</p> <p>Accordingly it is appropriate to rescind the declaration of surplus of the Property.</p>

	Date	Signature
Recommended by: Manager	July 15, 2016	Ashmeed Ali
Recommended by: Director of Real Estate Services Joe Casali	July 18, 2016	Tim Park (for Joe Casali)
<b>Approved by: Chief Corporate Officer Josie Scioli</b>	July 18, 2016	Josie Scioli

**APPENDIX "A": LOCATION MAP & SKETCH**

