

Approved pursuant to the Delegated Authority contained in Government Management Committee Item GM6.18 entitled "Policy with Respect to the Sale/Disposition of Land" adopted as amended by City Council on July 16, 17, 18 and 19, 2007. By-law No. 814-2007, enacted on July 19, 2007.

Prepared By:	Christian Eng	Division:	Real Estate Services
Date Prepared:	April 18, 2017	Phone No.:	(416) 392-8161

**Purpose:** To declare surplus a portion of the City-owned property located at 2445 Lake Shore Boulevard West, with the intended manner of disposal to be by way of entering into a lease for a term of 5 years (for which a separate authority will be sought) with the existing Below Market Rent Tenant, Storefront Humber Inc. Entering into a lease with Storefront Humber Inc. will, due to terms of the previous leases, exceed the 21 year limit.

**Property:** The property being a Portion of 2445 Lake Shore Boulevard West, being Part of Lots 1 to 3 on Plan M224, illustrated as Appendix "A" (the "Leased Lands")

- Actions:**
1. The Leased Lands be declared surplus, and with the intended manner of disposal to be by way of entering into lease renewals or lease extensions with the numerous existing tenants.
  2. Notice be published in a newspaper in circulation in the area of the Leased Lands and on the City's website.
  3. All steps necessary to comply with the City's real estate disposal process, as set out in Chapter 213 of the City of Toronto Municipal Code, be taken.

**Financial Impact:** There are no financial implications resulting from this approval.  
  
The Deputy City Manager & Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.

**Background:** In 1996, Storefront Humber Inc. was given a 5 year lease by the City of Toronto to occupy the building at 2445 Lake Shore Boulevard West In South Etobicoke. The original lease was amended in 1997, 2005 and again in 2013 to extend the term to 20 years. In November, 2013 the building occupied by Storefront Humber at 2445 Lakeshore Boulevard West was approximately 8,300 square feet. In 2013, the lease was further amended with PF&R approval to add 1,200 sq. feet to the front of the building to house their foot care clinic for low-income seniors. The building addition has been completed and the facility is open to seniors as a senior drop-in program.

Because the property is on Parks & Open Space, an Official Plan Amendment was a requirement before proceeding with the declaring surplus process. On July 12, 2016 City Council approved the Official Plan amendment to add 2445 Lakeshore Boulevard West to the list of properties in Site and Area Specific Policy No.265. On October 7, 2016 By-law 934-2016 passed to adopt amendment No.305 to the Official Plan for the City of Toronto. There was no notice of appeal or objection filed and therefore, pursuant to the provisions of Section 17 of the Planning Act, By-Law 934-2016 is in full force and effect as of November 11, 2016.

It is necessary to declare surplus the Leased Lands for the purpose of renewing the leases, since any further extension of the terms will result in cumulative lease terms exceeding twenty-one (21) years.

**Comments:** A circulation to the City's ABCDs was undertaken to ascertain whether or not there is any municipal interest in retaining the Leased lands. No municipal interest was expressed. Staff at the Affordable Housing Office has determined that there is no interest in the Leased Lands for affordable housing. Accordingly, it is appropriate that the Leased Lands be declared surplus. The Property Management Committee has reviewed this matter and concurs.

**Property Details:**

<b>Ward:</b>	6 – Etobicoke-Lakeshore
<b>Assessment Roll No.:</b>	Part of 1919-05-1-4500-1800
<b>Approximate Size:</b>	Irregular
<b>Approximate Area:</b>	310.1 m <sup>2</sup> ± (3337.88 ft <sup>2</sup> ±)
<b>Other Information:</b>	Senior Care Facility

Yes     No    Lands are located within the Green Space System or the Parks & Open Space Areas of the Official Plan.

**Pre-Conditions to Approval:**

- (1) **Highways** - The GM of Transportation Services has concurred in the Highway being declared surplus conditional upon City Council approving the permanent closure of the Highway.
- (2) **Lands located within the Green Space System and the Parks & Open Space Areas of the Official Plan** -  
The Chief Planner & Executive Director and the GM of Parks, Forestry & Recreation have confirmed that the land being exchanged is (i) nearby land of equivalent or larger area, and (ii) of comparable or superior green space utility.

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

- A (1) declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
  - Councillor does not require the declaration of surplus or the intended manner or process by which the sale of the land will be carried out to be determined by Council.
- (2) determining the method of giving notice to the public, following consultation with the local Councillor (§ 213-7)
  - Councillor has been consulted regarding method of giving notice to the public.
- (3) exempting sales to the following public bodies from the requirement for an appraisal, provided that the local Councillor (or if the land abuts other wards, the local Councillors) does not require the determination to be made by Council (§ 213-4):
  - (a) a municipality
  - (b) a local board, including a school board and a conservation authority
  - (c) the Crown in right of Ontario or Canada and their agencies
  - n/a Councillor(s) agrees with exemption from appraisal. **[Revise box to an x if any of (3)(a)-(c) applies.]**
- (4) exempting the sale of land in the following classes from the requirement for an appraisal and/or for notice to the public, provided that the local Councillor(s) (if the land abuts other wards) does not require the determination to be made by Council (§ 213-5):
  - (a) land 0.3 metres or less in width acquired in connection with an approval or decision under the *Planning Act*
  - (b) closed highways if sold to an owner of land abutting the closed highways
  - (c) land formerly used for railway lines if sold to an owner of land abutting the former railway land
  - (d) land does not have direct access to a highway if sold to the owner of land abutting that land
  - (e) land repurchased by an owner in accordance with section 42 of the *Expropriations Act*
  - (f) easements
  - n/a Councillor(s) agrees with exemption from appraisal. **[Revise box to an x if any of (4)(a)-(f) applies.]**
  - n/a Councillor(s) agrees with exemption from notice to the public. **[Revise box to an x if any of (4)(a)-(f) applies.]**
- (5) revising the intended manner of sale
- (6) rescinding the declaration of surplus authority

Title	Date	Recommended/ Approved
Manager	Apr. 21, 2017	Nick Simos
Director	May 2, 2017	(Brian Varner for) Joe Casali
Chief Corporate Officer	May 2, 2017	Josie Scioli
<b>Return to:</b> <b>Christian Eng</b> <b>Real Estate Services</b> <b>Metro Hall, 55 John Street, 2<sup>nd</sup> Fl</b> <b>(416) 392-8161</b>		
<b>DAF Tracking No.: 2017-099</b>		

Consultation with Councillor(s):						
Councillor:	Mark Grimes (June 14, 2016)					
Contact Name:						
Contacted by	Phone	E-mail	Memo	X	Other	
Comments:	<ul style="list-style-type: none"> <li>Concurs with recommendation</li> <li>Does not require the matter to be determined by Council</li> <li>Does not require further consultation re: public notice</li> </ul>					
Councillor:						
Contact Name:						
Contacted by	Phone	E-mail	Memo		Other	
Comments:						

Consultation with other Division(s):			
Division:	RES	Division:	Finance
Contact Name:	Daran Somas	Contact Name:	Felisha Jenkins
Comments:	Tenant in good standing (April 7, 2017)	Comments:	Incorporated into DAF
Real Estate Law Contact:	Jason Aurini (March 21, 2017)	Date:	March 31, 2017

Appendix "A": Location Map & Sketch

