



## DELEGATED APPROVAL FORM DECLARE SURPLUS

TRACKING NO.: 2017-029

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.

|                          |  |                                |                      |
|--------------------------|--|--------------------------------|----------------------|
| <b>Prepared By:</b>      | Neubert Li   | <b>Division:</b>               | Real Estate Services |
| <b>Date Prepared:</b>    | January 31, 2017   | <b>Phone No.:</b>              | (416) 392-1243       |
| <b>Purpose:</b>          | To declare surplus the City-Owned property known municipally as Land abutting 1 Sumach Street, containing approximately 11,000 square feet of land.  |                                |                      |
| <b>Property:</b>         | Land abutting 1 Sumach Street, Toronto. It is on the east side of Sumach Street under the elevated portion of the Duke/Duchess Interchange (the "Property").   |                                |                      |
| <b>Actions:</b>          | <ol style="list-style-type: none"> <li>1. The Property be declared surplus with the intended manner of disposal to be by way of a lease renewal agreement with the incumbent tenant, Corktown Commercial Inc. (the "Tenant").</li> <li>2. Notice be published in a newspaper in circulation in the area of the Property and be posted on the City's website.</li> <li>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.</li> </ol> |                                |                      |
| <b>Financial Impact:</b> | 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.  |                                |                      |
| <b>Background:</b>       | The Property has been leased to various tenants since 1979 for vehicle parking. The Tenant's current lease expired on August 31, 2016. It is requesting a lease renewal for another 5 years at current market rent. The lease renewal, if approved, will cumulate to more than 21 years in occupancy by various tenants that would necessitate the City declaring the Property surplus to municipal needs prior to continue leasing the Property.  |                                |                      |
| <b>Comments:</b>         | Leasing staff have confirmed that the tenant's lease is in good standing including all applicable taxes. Property Management Committee has reviewed this matter and concurs.   |                                |                      |
| <b>Property Details:</b> | <b>Ward:</b>   | 28 – Toronto Centre - Rosedale |                      |
|                          | <b>Assessment Roll No.:</b>  | N/A                            |                      |
|                          | <b>Approximate Size:</b>   | N/A                            |                      |
|                          | <b>Approximate Area:</b>   | 11,000 sq ft.                  |                      |
|                          | <b>Other Information:</b>  |                                |                      |
|                          | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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/<br>Approved |
|--|---------------|--------------------------|
| Manager<br>Nick Simos  | Feb. 7, 2017  | Nick Simos               |
| Director<br>Joe Casali   | Feb. 13, 2017 | Joe Casali               |
| Chief Corporate Officer<br>Josie Scioli  | Feb. 14, 2017 | Josie Scioli             |
| <b>Return to: Neubert Li<br/>Real Estate Services<br/>Metro Hall, 55 John Street, 2<sup>nd</sup> Fl<br/>(416) 392-1243</b> |               |                          |
| <b>DAF Tracking No.: 2017-029</b>  |               |                          |

| Consultation with Councillor(s): |                                |                                     |        |                          |      |       |
|----------------------------------|--------------------------------|-------------------------------------|--------|--------------------------|------|-------|
| Councillor:                      | Pam McConnell                  |                                     |        |                          |      |       |
| Contact Name:                    | Thomas Davidson                |                                     |        |                          |      |       |
| Contacted by                     | Phone                          | <input checked="" type="checkbox"/> | E-mail | <input type="checkbox"/> | Memo | Other |
| Comments:                        | No objection, January 27, 2017 |                                     |        |                          |      |       |
|                                  |                                |                                     |        |                          |      |       |
| Councillor:                      |                                |                                     |        |                          |      |       |
| Contact Name:                    |                                |                                     |        |                          |      |       |
| Contacted by                     | Phone                          | <input type="checkbox"/>            | E-mail | <input type="checkbox"/> | Memo | Other |
| Comments:                        |                                |                                     |        |                          |      |       |

| Consultation with other Division(s): |  |               |                       |
|--------------------------------------|--|---------------|-----------------------|
| Division:                            | Leasing and Site Management, RES       | Division:     | Financial Planning    |
| Contact Name:                        | Van Hua                                | Contact Name: | Filisha Mohammed      |
| Comments:                            | Incorporated into DAF, Feb. 2, 2017    | Comments:     | Incorporated into DAF |
| Real Estate Law Contact:             | Michele Desimone, okayed Jan. 30, 2017 | Date:         | Dec. 2, 2016          |

### APPENDIX "A" LOCATION MAP & SKETCH

