

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:	Trixy Pugh	Division:	Real Estate Services
Date Prepared:	September 12, 2016	Phone No.:	(416) 392-8160

Purpose: To declare surplus the vacant land adjacent to the west side of 6 Henry Street with the intended manner of disposition to be by way of entering into a long term lease (fifty years, less a day) with Toronto Community Housing Corporation ("TCH"), subject to reserving an easement for Toronto Water in favour of the City of Toronto, and granting easements to Bell Canada and Toronto Hydro.

Property: The vacant land adjacent to the west side of 6 Henry Street, being Lane on Plan D95 Toronto Closed by CT283457 (the "Property").

- Actions:**
1. The Property be declared surplus, subject to a reserved easement in favour of the City of Toronto for Toronto Water and the granting of easements to Bell Canada and Toronto Hydro, with the intended manner of disposal of the Property being by way of a long term lease (not exceeding fifty years less a day) from the City, as landlord, to TCH, as tenant.
 2. Notice be published in a newspaper in circulation in the area of the Property and posted 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: The subject parcel is a former public lane which was stopped up and closed on October 11, 1977 by the former City of Toronto through By-Law #1977-0623. The former laneway had been leased to City of Toronto Non-Profit Housing Corporation ("City Home") for use as an open landscaped area since March 5, 1978 (the "Laneway Lease"). The Laneway Lease provided that it would automatically terminate upon the termination of the Ontario Housing Corporation lease to City Home of the abutting housing complexes located on either side of the former laneway (the "Housing Lease"). In 1999, City Home became Toronto Housing Company Inc. by amalgamation. In 2002, Toronto Housing Company Inc. transferred all of its assets and liabilities to TCH, including the Laneway Lease. Subsequently, Ontario Housing Corporation transferred title to the abutting housing complexes to TCH in 2010. By reason of TCH becoming both the landlord and tenant of the Housing Lease in 2010, the Housing Lease terminated. When the Housing Lease terminated, the Laneway Lease automatically terminated at the same time.

TCH is now requesting to enter into a new long term lease agreement over the Property. The intended lease term will be fifty (50) years, less a day. An existing park which partially lies on the City-owned land is proposed to be redeveloped by TCH, illustrated on TCH's overlay showing the approximate location of the laneway with respect to the playground/courtyard.

Toronto Water, Bell Canada, and Toronto Hydro all have use of existing facilities within the Property. As such, it is intended that an easement will be reserved for Toronto Water in favour of the City of Toronto under the long term lease and that the long term lease will be subject to easements in favour of Bell Canada and Toronto Hydro in order to protect their interests.

Comments: Accordingly, it is appropriate that the Property be declared surplus with the intended manner of disposition to be by way of entering into a long term lease with TCH subject to the required easements. The Property Management Committee has reviewed this matter and concurs.

Property Details:

Ward:	20 – Trinity-Spadina
Assessment Roll No.:	
Approximate Size:	11.8.5 m x 6 m ± (389.97 ft x 20 ft ±)
Approximate Area:	711 m ² ± (7,996 ft ² ±)
Other Information:	

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:

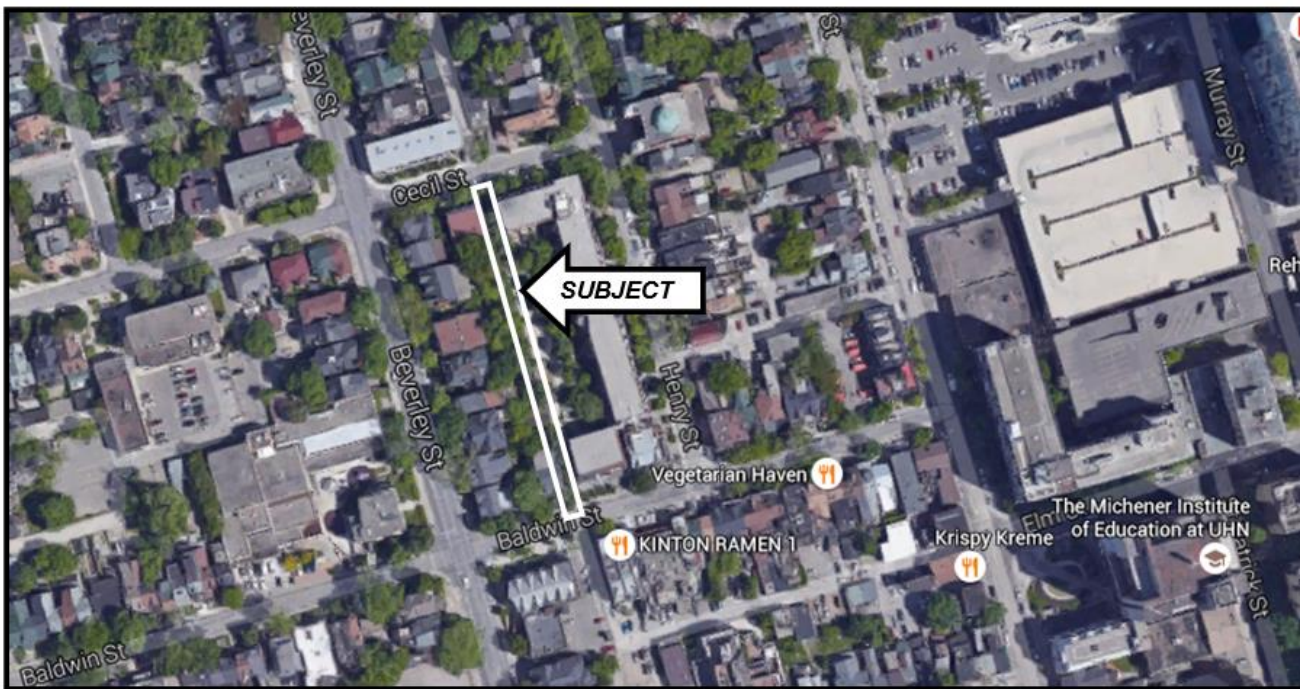
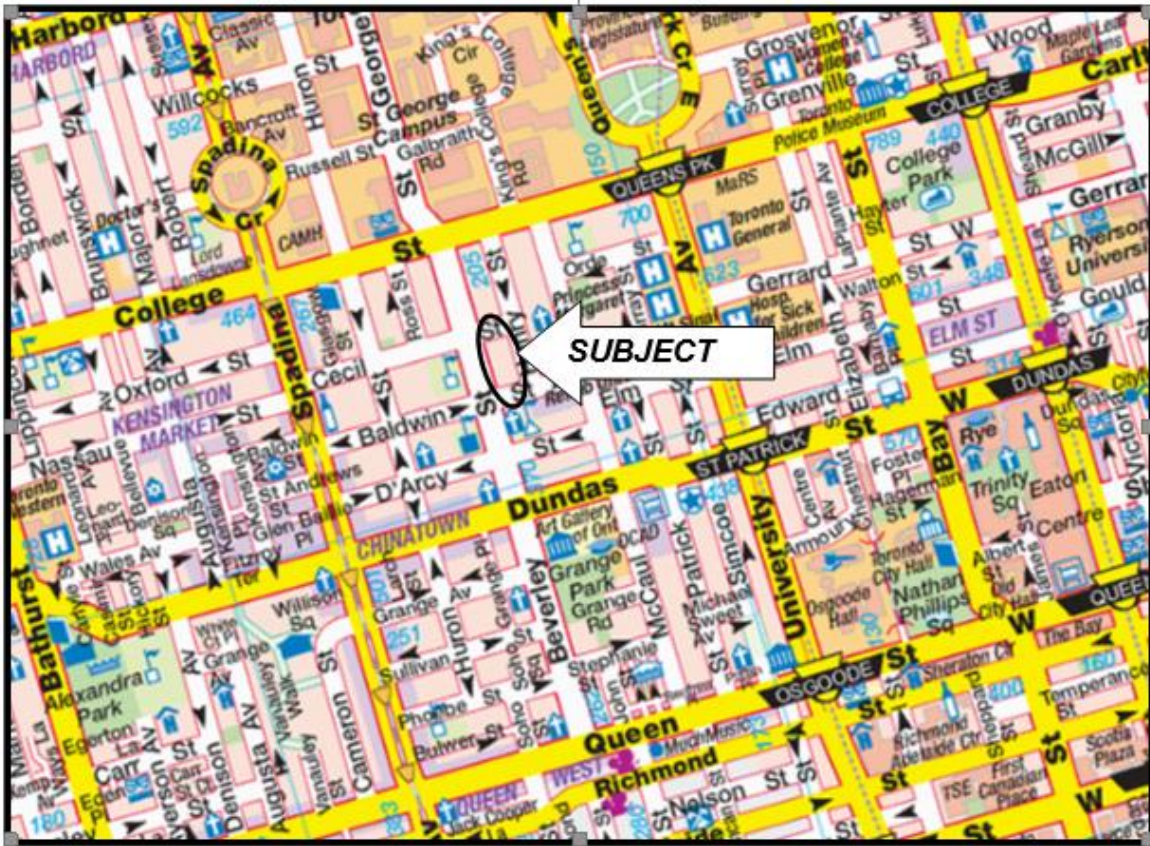
- A (1) declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
 - Councillor does not require 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	Sept. 13, 2016	Tasse Karakolis
Director	Sept. 15, 2016	Joe Casali
Chief Corporate Officer	Sept. 19, 2016	Josie Scioli
Return to: Trixy Pugh Real Estate Services Metro Hall, 55 John Street, 2nd Fl (416) 392-8160		
DAF Tracking No.: 2016-217		

Consultation with Councillor(s):					
Councillor:	Joe Cressy				
Contact Name:	Raymond Ngu (September 9, 2016)				
Contacted by	Phone	<input checked="" type="checkbox"/>	E-mail	Memo	Other
Comments:	<ul style="list-style-type: none"> • Concurs with recommendation • Does not require the matter to be determined by Council • Does not require further consultation re: public notice 				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail	Memo	Other
Comments:					

Consultation with other Division(s):			
Division:	RES	Division:	Financial Planning
Contact Name:	Adam Pressick	Contact Name:	Filisha Mohammed
Comments:	Incorporated into DAF	Comments:	Incorporated into DAF
Real Estate Law Contact:	Kathleen Ann Kennedy (September 9, 2016)	Date:	September 9, 2016

Appendix "A": Location Map and Sketch



PLAN OF SURVEY OF
 LOTS 1 TO 15 REGISTERED PLAN D-95
 LOTS 1 TO 4 REGISTERED PLAN D-145
 AND BLOCK U REGISTERED PLAN D-153
CITY OF TORONTO
 MUNICIPALITY OF METROPOLITAN TORONTO

ONTARIO HYDRO
 1970
 1 INCH = 40 FEET

