

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>	Irina Fofanova	<b>Division:</b>	Real Estate Services
<b>Date Prepared:</b>	July 25, 2017	<b>Phone No.:</b>	416-397- 0806

**Purpose:** To declare surplus a portion of Cooper Street near Queens Quay East, conditional upon City Council approving the permanent closure of the said portion of Cooper Street, with the intended manner of disposal to be by way of an invitation of an offer to purchase from Menkes Development Ltd. (the "Developer") for the proposed realignment of Cooper Street, subject to the reservation of easements for Bell Canada, Enbridge and Group Telecom purposes. The proposed method of disposal will include an exchange of land.

**Property:** Portion of Cooper Street, legally described as part of Church Street on plan 153E Toronto (AKA Cooper Street); being Church Street between Queens Quay & Lakeshore Boulevard; Toronto, City of Toronto, shown as Part 1 on Sketch No. PS-2017-026 (the "Highway").

- Actions:**
1. The Property be declared surplus, conditional upon City Council approving the permanent closure of the Highway, subject to an easement to be granted to Bell Canada, Enbridge and Group Telecom.
  2. An offer to purchase the Highway, that includes an exchange of land for re-alignment of Cooper Street, be invited from the Developer.
  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:** Waterfront Toronto, in partnership with the City, is conducting an Environmental Assessment for the infrastructure needed to support the build out of the Lower Yonge Precinct Area. As part of the EA investigation, a new transportation network serving the precinct area has been identified. The new transportation network includes, among other things, the realignment of Cooper Street to remove the kink in the existing alignment.  
  
The proposed closure of Part 1 has been requested by Transportation Services, Infrastructure Planning. The Developer currently owns land on both sides of Cooper Street and are in discussions with the City for a multi-phase development on their lands. The Developer has agreed to convey Parts 2 and 3, on Sketch No. PS-2017-026, in order to facilitate the realignment of Cooper Street, in exchange for Part 1.  
  
The Property was not acquired through expropriation proceedings.

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

**Property Details:**

<b>Ward:</b>	28 – Toronto Centre - Rosedale
<b>Assessment Roll No.:</b>	
<b>Approximate Size:</b>	Irregular
<b>Approximate Area:</b>	409.9 m <sup>2</sup> ± (4,412 ft <sup>2</sup> ±)
<b>Other Information:</b>	

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

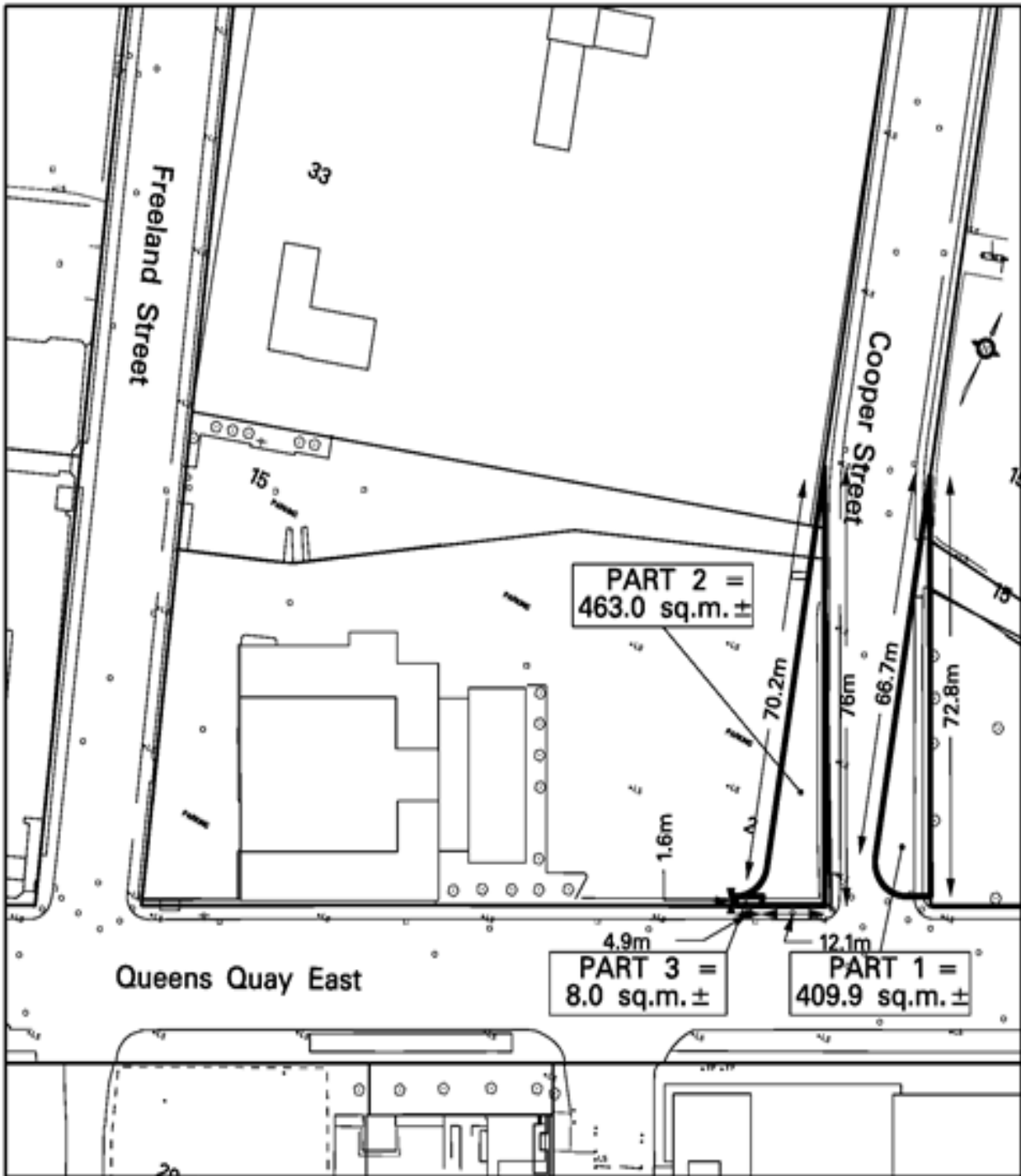
Title	Date	Recommended/ Approved
Manager	July 31, 2017	Signed by Nick Simos
Director	August 4, 2017	Signed by Joe Casali
Chief Corporate Officer	August 7, 2017	Signed by Josie Scioli
<b>Return to:</b>		
<b>DAF Tracking No.: 2017- 207</b>		

Consultation with Councillor(s):	
Councillor:	Office of Councillor Pam MacConnell
Contact Name:	Tom Davidson –July 26, 2017
Contacted by	X Phone X E-mail Memo Other
Comments:	<ul style="list-style-type: none"> <li>No objections 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:	Transportation Services	Division:	Financial Planning
Contact Name:	Jeffrey Dea and Laurie Robertson	Contact Name:	Filisha Jenkins
Comments:	July 28, 2017	Comments:	No objections
Real Estate Law Contact:	David Eveline –July 25, 2017	Date:	July 26, 2017

SCHEDULE "A" - LOCATION MAPS & PS-SKETCH





NOTE:  
THIS SKETCH HAS BEEN  
COMPILED FROM OFFICE  
RECORDS. MEASUREMENTS  
ARE APPROXIMATE

CHECK BY JOHN HOUSE  
PREPARED BY DWAYNE RITT

PROPERTY INFORMATION SHEET  
SKETCH SHOWING A PORTION OF  
COOPER STREET (PART 1) AND PORTIONS OF  
NO. 55 LAKE SHORE BOULEVARD EAST  
(PARTS 2 AND 3)

WARD 28 - TORONTO CENTRE-ROSEDALE  
DATE: MARCH 22, 2017