

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>	Trixy Pugh	<b>Division:</b>	Real Estate Services										
<b>Date Prepared:</b>	November 30, 2017	<b>Phone No.:</b>	(416) 392-8160										
<b>Purpose:</b>	To declare surplus a strata portion of the City-owned parcel of land located at 30 Merchants' Wharf with the intended manner of disposal to be by way of a long term lease of fifty (50) years less a day for the purposes of affordable housing.												
<b>Property:</b>	A strata portion of the City owned property located at 30 Merchants' Wharf, being Part of Block 3 on 66M-2514, designated as Parts 2 & 3 on 66R-28259, being all of PIN 21384-0207 (LT) as shown in Appendix "A" (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 long term lease of fifty (50) years less a day for the purposes of affordable housing as directed by City Council at its meeting held on June 10, 11, 12 and 13, 2014 by Item No. EX42.16.</li> <li>2. Notice be published in a newspaper in circulation in the area of the Property and 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>	<p>There are no financial implications resulting from this approval.</p> <p>The Acting Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.</p>												
<b>Background:</b>	<p>The Property was not acquired through expropriation proceedings.</p> <p>In 2010, City Council approved a Land Development Agreement between Hines Canada Management Company ULC ("Hines") and the City for a City-owned block of land within the Bayside district of East Bayfront for an innovative pilot project integrating eighty (80) units of affordable housing with market residential housing, retail and commercial space.</p> <p>In 2014, City Council authorized the City to enter into an Agreement of Purchase &amp; Sale with Hines for the sale of the property, save and except the strata parcel of land designated for the affordable housing units. A Request for Proposals was issued to select the operator of the affordable housing component, with Toronto Artscape Inc. being the successful proponent.</p> <p>In order to proceed with City Council's authorization to enter into a long term lease with Toronto Artscape Inc. for the 80 units of affordable housing, the City, in accordance with the Toronto Municipal Code, Chapter 213, is required to declare a strata portion of 30 Merchants' Wharf surplus, with the intended manner of disposal to be by way of a long term lease of fifty (50) years less a day for the purposes of affordable housing as directed by City Council at its meeting held on June 10, 11, 12 and 13, 2014 by Item No. EX42.16.</p>												
<b>Comments:</b>	A circulation to the City's ABCDs was not undertaken to ascertain whether or not there is any municipal interest in retaining the Property as there was already a City Council decision regarding the manner of disposal. Accordingly, it is appropriate that the Property be declared surplus. The Property Management Committee has reviewed this matter and concurs.												
<b>Property Details:</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;"><b>Ward:</b></td> <td>28 – Toronto Centre-Rosedale</td> </tr> <tr> <td><b>Assessment Roll No.:</b></td> <td>1904-06-4-010-01133</td> </tr> <tr> <td><b>Approximate Size:</b></td> <td></td> </tr> <tr> <td><b>Approximate G.F.A.:</b></td> <td>8,250 m<sup>2</sup> ± (88,802.3 ft<sup>2</sup> ±)</td> </tr> <tr> <td><b>Other Information:</b></td> <td></td> </tr> </table> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Lands are located within the Green Space System or the Parks &amp; Open Space Areas of the Official Plan.</p>			<b>Ward:</b>	28 – Toronto Centre-Rosedale	<b>Assessment Roll No.:</b>	1904-06-4-010-01133	<b>Approximate Size:</b>		<b>Approximate G.F.A.:</b>	8,250 m <sup>2</sup> ± (88,802.3 ft <sup>2</sup> ±)	<b>Other Information:</b>	
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**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.

**Deputy City Manager, Internal Corporate Services 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	Nov. 30, 2017	Signed by Nick Simos
Director	Dec. 4, 2017	Signed by David Jollimore
Deputy City Manager, Internal Corporate Services	Dec. 4, 2017	Signed by Josie Scioli
<b>Return to:</b> <b>Trixy Pugh</b> <b>Real Estate Services</b> <b>Metro Hall, 55 John Street, 2<sup>nd</sup> Fl</b> <b>(416) 392-8160</b>		

Consultation with Councillor(s):	
Councillor:	Lucy Troisi
Contact Name:	Tom Davidson (November 17, 2017)
Contacted by	Phone <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
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 <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	

Consultation with other Division(s):			
Division:	AHO	Division:	Financial Planning
Contact Name:	Sumeet Ahluwalia	Contact Name:	Patricia Libardo
Comments:	Incorporated into DAF (November 10, 2017)	Comments:	Incorporated into DAF
Real Estate Law Contact:	Charlotte Harbell (August 12, 2017)	Date:	November 13, 2017

APPENDIX "A": LOCATION MAP & SKETCH

