

Approved pursuant to the Delegated Authority contained in Government Management Committee Item GM6.18 entitled "Policy with Respect to the Sale/Disposition of Land", as adopted by City Council on July 16, 17, 18 & 19, 2007. City of Toronto Municipal Code Chapter 213, Real Property, Sale of, adopted by By-law No. 814-2007.

Prepared By:	Joseph Sergnese	Division:	Real Estate Services
Date Prepared:	July 3, 2019	Phone No.:	416-392-1857

<b>Purpose:</b>	To declare surplus approximately 54,000 square feet of stratified space in the City-owned parcel of land located at 770 Don Mills Road, Toronto, shown as Part 2 on Sketch No. PS-2005-026 attached as Schedule "A", with the intended manner of disposal to be by way of a land exchange with the Toronto District School Board ("TDSB") for the property known municipally as 200 Poplar Road, Toronto.										
<b>Property:</b>	Approximately 54,000 square feet of stratified space within the proposed development to be constructed on part of the site known municipally as 770 Don Mills Road (the "Property"). 770 Don Mills Road is shown as Part 2 on Sketch No. PS-2005-026 in Schedule "A"										
<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 an exchange of land with the TDSB for the property known municipally as 200 Poplar Road, Toronto.</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>	<p>There are no financial implications resulting from this approval.</p> <p>The Chief Financial Officer &amp; Treasurer has reviewed this DAF and agrees with the financial impact information.</p>										
<b>Background:</b>	The proposed transaction with TDSB will alleviate TDSB's current student capacity issue in this area by allowing it to construct and take stratified title to a new elementary school within the City's proposed development at 770 Don Mills Road, along with creating new open space as the outdoor play area for the students attending the new school. In exchange, it is intended that the City will obtain fee simple ownership of the TDSB-owned 11.93-acre site, formerly Sir Robert L. Borden Business and Technical Institute, known municipally as 200 Poplar Road, Toronto, which could be used to create a community hub servicing the needs of the local community along with allowing the City to explore city-building opportunities with other City-owned properties nearby.										
<b>Comments:</b>	For Comments, see Schedule "B" attached.										
<b>Property Details:</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;"><b>Ward:</b></td> <td>16 – Don Valley East</td> </tr> <tr> <td><b>Assessment Roll No.:</b></td> <td></td> </tr> <tr> <td><b>Approximate Size:</b></td> <td>Irregular</td> </tr> <tr> <td><b>Approximate Area:</b></td> <td>5,016.76m<sup>2</sup> ± (54,000 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>	16 – Don Valley East	<b>Assessment Roll No.:</b>		<b>Approximate Size:</b>	Irregular	<b>Approximate Area:</b>	5,016.76m <sup>2</sup> ± (54,000 ft <sup>2</sup> ±)	<b>Other Information:</b>	
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<b>Approximate Size:</b>	Irregular										
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<b>Other Information:</b>											

**Pre-Conditions to Approval:**

- (1) **Highways** - The General Manager 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 of City Planning and the General Manager 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.

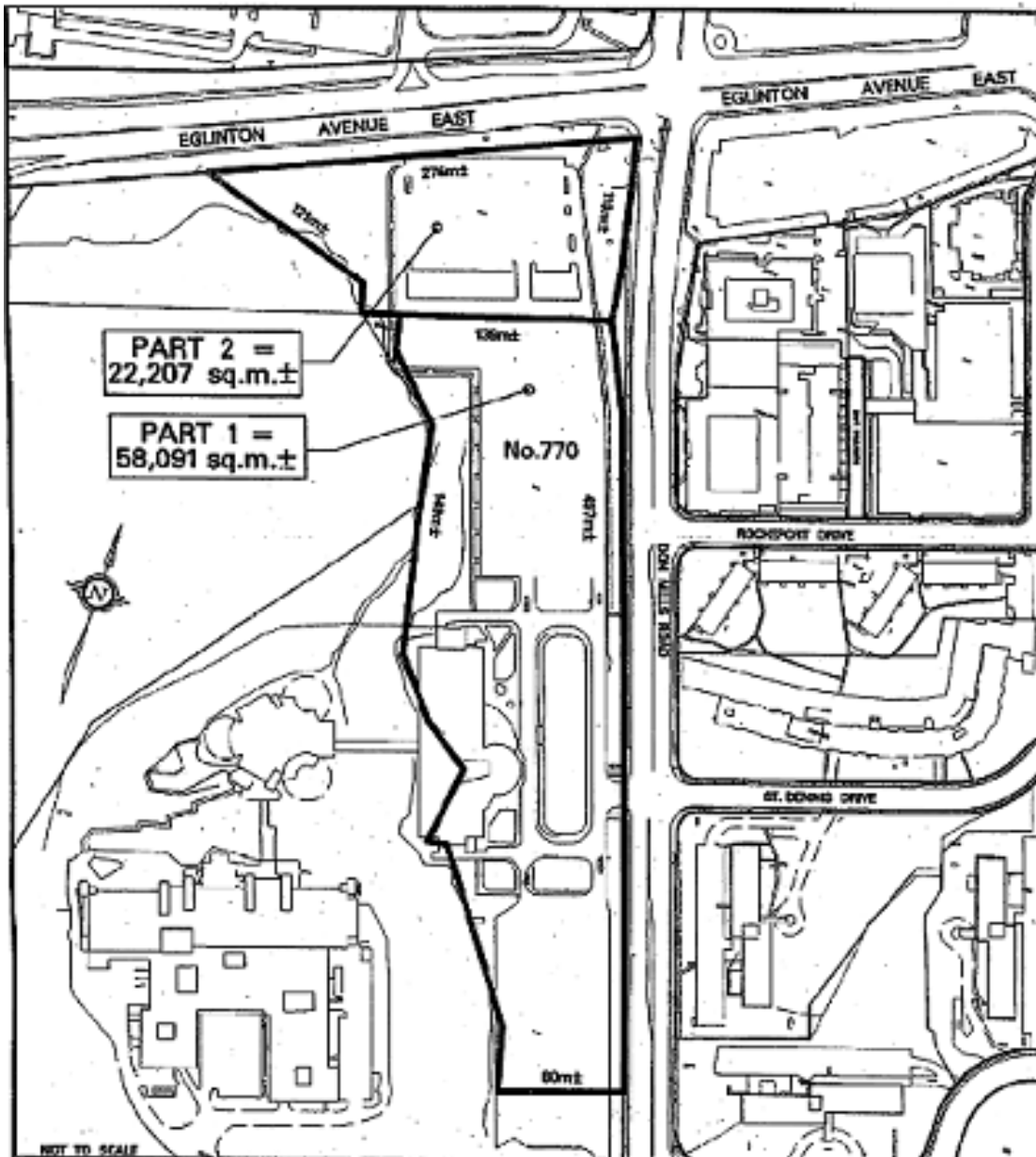
**Deputy City Manager, Corporate Services has approval authority for:**

- 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 General Government and Licensing 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
Director, Client Relationship, CreateTO Ryan Glenn	July 5, 2019	Signed by Ryan Glenn
Director, Real Estate Services Nick Simos	July 5, 2019	Signed by Nick Simos
Deputy City Manager, Corporate Services Josie Scioli	July 5, 2019	Signed by Josie Scioli
<b>Return to:</b> Joseph Sergnese		

Consultation with Councillor(s):						
Councillor:	Denzil Minnan-Wong					
Contact Name:	Same as above					
Contacted by	Phone	E-mail	Memo	X	Other	
Comments:	No objections at two meetings May 6 <sup>th</sup> and 15 <sup>th</sup> , 2019					
Councillor:						
Contact Name:						
Contacted by	Phone	E-mail	Memo	Other		
Comments:						

Consultation with other Division(s):			
Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Filisha Jenkins
		Comments:	Concurs (July 3, 2109)
Real Estate Law Contact:	Dale Mellor	Date:	July 4, 2019



**Toronto**  
WORKS & EMERGENCY SERVICES  
TECHNICAL SERVICES DIVISION  
SURVEY & MAPPING

PROPERTY INFORMATION SHEET

CITY OWNED LAND  
No. 770 DON MILLS ROAD

NOTE: THIS SKETCH HAS  
BEEN COMPILED FROM  
OFFICE RECORDS.

WARD 25 - DON VALLEY WEST  
DATE: FEB. 22, 2005

SKETCH No. PS-2005-026

## SCHEDULE "B"

Comments: The City and CreateTO are moving forward to bring the site at 770 Don Mills Road to market as quickly as possible as part of the Housing Now Initiative. The proposed housing development requires a re-zoning and Official Plan Amendment, and as such, the City has initiated a re-zoning and Official Plan Amendment application. The TDSB has provided comments on the planning application as part of the usual approvals process. The TDSB has indicated that it needs to address school capacity issues in the area south of Eglinton Avenue. It does not have sufficient capacity in its existing neighbourhood school system or requisite land supply to build a new school in this area to accommodate the increased number of students that this, and the adjacent Housing Now development at 805 Don Mills Road, will create. This lack of capacity may require the TDSB to place a "hold" on the City's rezoning application until such time as this need can otherwise be accommodated. This hold on the re-zoning could delay the redevelopment of these sites and the much needed delivery of affordable housing in the City of Toronto.

Real Estate Services staff, working closely with their colleagues in CreateTO, have been working with the TDSB to help find a solution to the student capacity issue. As a part of the redevelopment of the site, City Planning has indicated a desire to see 1 FSI of density allocated towards non-residential uses in this redevelopment. This requirement could be largely satisfied by incorporating a new elementary school, being kindergarten up to grade 8, and estimated to be approximately 54,000 sf, into the podium of the proposed new residential building. The TDSB has indicated it supports this approach and is working with CreateTO to incorporate its needs into this development proposal. In addition to the space within the redevelopment, there will be a requirement for outdoor space for the students during the school day; this space will also be available to the general public, including the residents of the new building, before and after school hours, every weekend and all summer. During the school day, it is intended that this space will be exclusive to the school and governed by a shared use agreement, the terms of which will be established as part of the proposed land exchange transaction.

A circulation to the City's Agencies and Divisions was undertaken to ascertain whether or not there is any municipal interest in retaining the Property. No municipal interest was expressed. Accordingly, it is appropriate that the Property be declared surplus.

The Strategic Property Management Committee has reviewed this matter and concurs.