

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:	Owen Bartley	Division:	Corporate Real Estate Management
Date Prepared:	August 8, 2019	Phone No.:	(416) 338-1297

Purpose: To declare surplus the City-owned parcel of stratified fee simple air space above a portion of Walton Street, and to authorize the invitation of an offer to purchase the property from Great Eagle Hotels (Canada) Ltd. (the "Adjoining Owner").

Property: A stratified fee simple air space interest above a portion of Walton Street, located adjacent to, and on the southern edge of the northwest corner of 33 Gerrard Street West, Toronto, Ontario designated as Part 1 on Plan 66R-30808 as shown in Appendix "A (the "Property")".

- Actions:**
1. The Property be declared surplus conditional upon City Council approving the permanent closure of the highway, and an offer to purchase the Property be invited from Great Eagle Hotels (Canada) Ltd.
 2. Notice be published in a newspaper in circulation in the area of the Property and be 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 Chief Financial Officer & Treasurer has reviewed this DAF and agrees with the financial impact information.

Background: City Council at its meeting of May 22, 23, and 24, 2018 adopted Item CC41.10, directing the Director, Real Estate Services to negotiate a potential conveyance, of a stratified fee simple interest above a portion of Walton Street (the Property), to be included in the Adjoining Owner's development. The Adjoining Owner plans to cantilever part of its new building at the 6th storey into that airspace.

Transportation Services reviewed the feasibility of permanently closing the Property and had no objection. Council approved the permanent closure of the Property on July 26, 27, and 28 by adoption of by-law 1132-2019.

At the Technical Review Committee meeting of July 25, 2019, the committee recommended that the Property be declared surplus.

The intended manner of disposal is by inviting an offer to purchase the stratified portion of the laneway as Part 1 on the Speight, Van Nostrand & Gibson Limited Drawing - 66R-30808.

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

Property Details:	Ward:	Ward 11 University-Rosedale
	Assessment Roll No.:	not assessed
	Approximate Size:	1.90 m x 3.25 m ± (6.2336 ft x 10.66273 ft ±)
	Approximate Area:	6.18 m ² ± (66.41 ft ² ±) x 26 storeys = 160.68 m ² ± (1,728 ft ² ±)
	Other Information:	Appraised based on 66.41 ft ² over 26 buildable storeys
<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 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
Manager, Daran Somas	Aug. 12, 2019	Signed by Daran Somas
Acting Director, Corporate Real Estate Management, Nick Simos	Aug. 19, 2019	Signed by Nick Simos
Deputy City Manager, Josie Scioli	Aug. 22, 2019	Signed by Josie Scioli
Return to:		

Consultation with Councillor(s):						
Councillor:	Mike Layton					
Contact Name:	Mike Layton					
Contacted by	Phone	<input checked="" type="checkbox"/>	E-mail		Memo	Other
Comments:	No objections (08/08/2019)					
Councillor:						
Contact Name:						
Contacted by	Phone		E-mail		Memo	Other
Comments:						

Consultation with other Division(s):			
Division:	Transportation Services	Division:	Financial Services
Contact Name:	Lukasz Pawlowski	Contact Name:	Filisha Jenkins
Comments:	No objections (08/08/2019)	Comments:	No objections (08/08/2019)
Real Estate Law Contact:	Vanessa Bacher	Date:	08/02/2019

Appendix "B" – Subject Location

