

Approved pursuant to the Delegated Authority contained in Article 1 of City of Toronto Municipal Code Chapter 213, Real Property

<b>Prepared By:</b>	Mark MacSorley	<b>Division:</b>	Corporate Real Estate Management
<b>Date Prepared:</b>	November 29, 2021	<b>Phone No.:</b>	416-392-3891
<b>Purpose:</b>	To declare surplus a portion of the City-owned property within Exhibition Place known as Phase 2 Development, with the intended manner of disposal to be by way of a long term lease (greater than 21 years), to Lakeshore Princess West G.P. Inc., as general partner of Lakeshore Princess West Limited Partnership (the "Tenant") to construct and operate Hotel X Phase 2 and an entertainment venue.		
<b>Property:</b>	Certain lands forming part of Exhibition Place, described as Part of Block 14 of the Ordnance Reserve and Part of the Waterlot Fronting the Ordnance Reserve, Toronto, shown outlined in red on the sketch attached as 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 to the Tenant to construct and operate Hotel X Phase 2 and an entertainment venue at the Property.</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 and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.</p>		
<b>Background:</b>	<p>On November 30, December 1, 2, 3, 4, and 7, 2009 (EX36.3) City Council approved entering into a 49-year lease agreement with two 25-year renewal terms with an affiliate of the Tenant to construct Hotel X located at 111 Princes' Blvd within the Exhibition Place.</p> <p>The first phase of Hotel X opened for operations on March 20, 2018.</p> <p>Under the current lease for Hotel X, the Phase 1 tenant has an option to lease certain Phase 2 lands to the west of the first phase. By letter dated July 31, 2020 the Phase 1 tenant exercised that option, to construct and operate a Phase 2 Hotel, an entertainment facility and other related amenities at the Phase 2 lands. As a result of City Planning review, certain additional lands have been added to the original Phase 2 lands for the development, which lands, collectively, form the Property.</p> <p>The Property was not acquired through expropriation proceedings</p>		
<b>Comments:</b>	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.		
<b>Property Details:</b>	<b>Ward:</b>	10 – Spadina-Fort York	
	<b>Assessment Roll No.:</b>	N/A	
	<b>Approximate Area:</b>	PIN: 213830039 - 29,245 ft <sup>2</sup>	
	<b>Other Information:</b>		
	<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:**

- (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.]**
  - 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, Real Estate Services	Nov. 30, 2021	Signed by Ronald Ro
Director, Real Estate Services	Dec. 1, 2021	Signed by Alison Folosea
Executive Director, Corporate Real Estate Management	Dec. 1, 2021	Signed by Patrick Matozzo
Deputy City Manager, Corporate Services	Dec. 1, 2021	Signed by Josie Scioli
<b>Return to:</b> <b>Mark MacSorley</b> <b>Real Estate Services</b> <b>Metro Hall, 55 John St, 2<sup>nd</sup> Floor</b>		

Consultation with Councillor(s):					
Councillor:	Joe Cressy				
Contact Name:	Anthony MacMahon				
Contacted by	Phone	x	E-mail	Memo	Other
Comments:	No objections (11/25/2021)				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail	Memo	Other
Comments:					

Consultation with other Division(s):			
Division:	Exhibition Place	Division:	Financial Planning
Contact Name:	Hardat Persaud	Contact Name:	Ciro Tarantino
Comments:	No Objections (11/25/2021)	Comments:	No Comments/Concerns
Real Estate Law Contact:	Jack Payne	Date:	11/18/2021

# Appendix A

