



DELEGATED APPROVAL FORM DECLARE SURPLUS

TRACKING NO.: 2022-002

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

Prepared By:	Owen Bartley	Division:	Corporate Real Estate Management
Date Prepared:	October 17, 2022	Phone No.:	(416) 338-1297
Purpose:	1. To declare surplus a long-term lease interest (21 years or more) in the parcel of land located at 756 Bathurst Street, Toronto, with the intended manner of disposal to be by way of a lease to Blackhurst Cultural Centre for use as a cultural community centre and bookstore.		
Property:	The property municipally known as 756 Bathurst Street, Toronto, legally described as PT LT 61 PL 93 TORONTO AS IN CA775041; City of Toronto, being all of PIN 212540283, (the "Property"), as shown on the location map in Appendix "B" and property outline in Appendix "C".		
Actions:	1. To declare surplus the property at 756 Bathurst Street, effective as of the date the City acquires ownership of this property, with the intended manner of disposal to be by way of a long-term below market rent lease to Blackhurst Cultural Centre (formerly known as A Different Booklist Cultural Centre).		
Financial Impact:	<p>There are no financial implications resulting from this approval.</p> <p>The Chief Financial Officer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.</p>		
Background:	<p>City Council at its meeting on July 4, 2017 authorized the purchase of 756 Bathurst Street, for \$2,550,000, for community and/or cultural use, with the transaction to close on the earlier of a) 30 days after written Notice from the vendor or b) five years from the date of the first above-grade building permits granted for the Honest Ed's Mirvish Village redevelopment.</p> <p>City Council at its meeting on December 16 & 17, 2020 authorized the Executive Director, Corporate Real Estate Management to initiate negotiations with A Different Booklist Cultural Centre for a long-term lease at 756 Bathurst Street, contingent on the General Manager, Economic Development and Culture's review of A Different Booklist Cultural Centre's long-term business plan, and to report back to City Council for authorization of the lease terms. A Different Booklist Cultural Centre subsequently changed its name to Blackhurst Cultural Centre in June 2022.</p> <p>It is anticipated that the City will take possession of the Property in Q4 2022. At such time the intent is to consider an offer to lease the Property from Blackhurst Cultural Center, subject to City Council approval.</p>		
Comments:	A circulation to the City's Divisions, Agencies and Commissions 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 Technical Review Committee has reviewed this matter and concurs.		
Property Details:	Ward:	11 - University-Rosedale	
	Assessment Roll No.:	1904 067 310 02100	
	Approximate Size:	5 m x 38.1 m ± (16.41 ft x 125 ft ±)	
	Approximate Area:		
	Other Information:		
<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.

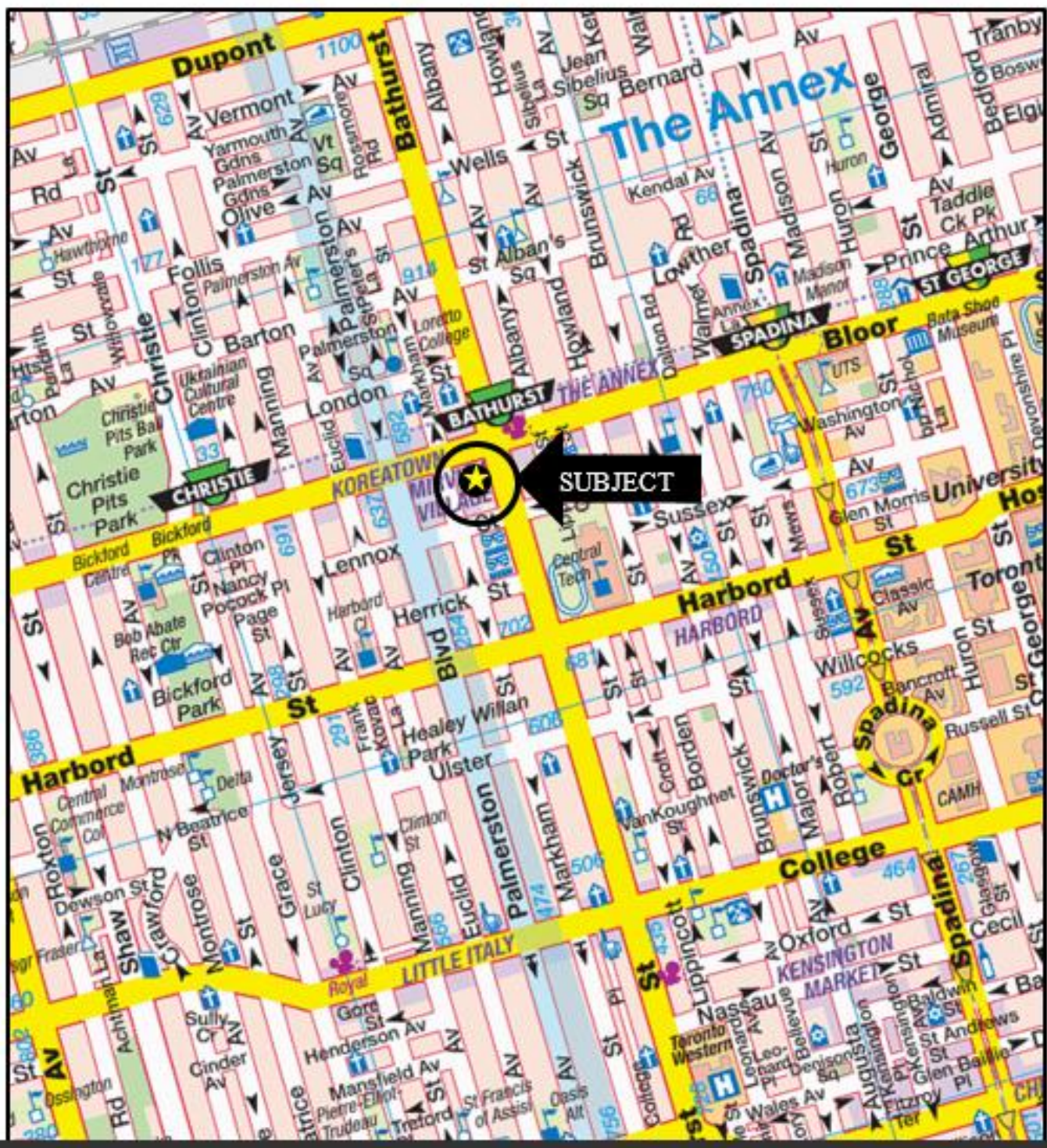
Deputy City Manager, Corporate Services has approval authority for:

- (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.]**
 - 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, Real Estate Services	Oct. 17, 2022	Signed by Susan Lin
Director, Real Estate Services	Oct. 17, 2022	Signed by Alison Folosea
Executive Director, Corporate Real Estate Management	Oct. 18, 2022	Signed by Patrick Matozzo
Deputy City Manager, Corporate Services	Oct. 27, 2022	Signed by Josie Scioli
Return to: Owen Bartley Property Officer, Corporate Real Estate Management		

Consultation with Councillor(s):					
Councillor:	Mike Layton				
Contact Name:	Mike Layton				
Contacted by	Phone	X	E-mail	Memo	Other
Comments:	No concerns – October 14, 2022				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail	Memo	Other
Comments:					

Consultation with other Division(s):			
Division:	Economic, Development & Culture	Division:	Financial Planning
Contact Name:	Ben Macintosh	Contact Name:	Filisha Jenkins
Comments:	No concerns	Comments:	Comments incorporated
Real Estate Law Contact:	Vanessa Bacher	Date:	October 17, 2022



Appendix "B" – Property Outline

