

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

Prepared By:	Eric Allen	Division:	Corporate Real Estate Management
Date Prepared:	20-DEC-2022	Phone No.:	416-392-1852
Purpose:	1. To declare surplus the City-owned parcels of land located at 277 Victoria Street and 38 Dundas Street East, with the intended manner of disposal to be by way of a transfer to Build Toronto Inc., CreateTO's corporate entity, for institutional uses.		
Property:	Land municipally known as 277 Victoria Street and 38 Dundas Street East, and legally described as PIN 21101-0106 (LT), LOT 71 EAST SIDE OF VICTORIA ST, LOT 72 EAST SIDE OF VICTORIA ST, PLAN 22A ; PART LOT 70 EAST SIDE OF VICTORIA ST, PART LOT 73 EAST SIDE OF VICTORIA ST, PLAN 22A AS IN CA402064; CITY OF TORONTO (277 Victoria Street); and PIN 21101-0107 (LT), PART LOT 69 EAST SIDE OF VICTORIA ST, PART LOT 70 EAST SIDE OF VICTORIA ST, PLAN 22A, PART 2 ON EXPROPRIATION PLAN CA549811; CITY OF TORONTO (38 Dundas Street East), as shown in Appendix A (the "Properties").		
Actions:	<ol style="list-style-type: none"> 1. The Property be declared surplus, with the intended manner of disposal to be by way of transfer to Build Toronto Inc., CreateTO's corporate entity, for institutional uses. 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:	<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>		
Background:	<p>On April 7, 2022, City Council adopted item No. EX31.10 – "ModernTO: Unlocking Eight City-Owned Properties" which authorized, among other things, the Chief Executive Officer, CreateTO in consultation with the Executive Director, Corporate Real Estate Management, to negotiate the disposition of 277 Victoria Street at market value, subject to Council approval of the negotiated terms and conditions of sale.</p> <p>On October 30, 2019 City Council adopted item No. EX9.2 – "ModernTO: City-Wide Real Estate Strategy and Office Portfolio Optimization Report" which directed the Deputy City Manager, Corporate Services, in collaboration with the Medical Officer of Health, the Board of Health, and CreateTO, to ensure that all existing and necessary harm reduction, dental and other direct client services located at 277 Victoria Street continue to be made available and readily accessible to clients as part of any future repurposing of the site, and that space for these services be secured in the area should the building at 277 Victoria Street be sold and repurposed.</p> <p>The Property at 277 Victoria Street was not acquired through expropriation proceedings. The Property at 38 Dundas Street East was acquired through expropriation proceedings in 1998.</p>		
Comments:	City Council authorized the disposition of 277 Victoria Street and the relocation of the Toronto Public Health offices and other City tenants as part of the ModernTO program in 2022.		
Property Details:	Ward:	13 - Toronto Centre	
	Assessment Roll No.:		
	Approximate Size:	31 m x 35 m ± (101 ft x 116 ft ±)	
	Approximate Area:	1,520 m ² ± (16,361 ft ² ±)	
	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
Ronald Ro, Manager, Real Estate Services	Dec. 20, 2022	Signed by Ronald Ro
Alison Folosea, Director, Real Estate Services	Dec. 22, 2022	Signed by Alison Folosea
Pat Matozzo, Executive Director, Corporate Real Estate Management	Dec. 22, 2022	Signed by Patrick Matozzo
Josie Scioli, Deputy City Manager, Corporate Services	Dec. 23, 2022	Signed by Josie Scioli
Return to:		

Consultation with Councillor(s):	
Councillor:	Councillor Chris Moise
Contact Name:	Tyler Johnson
Contacted by	Phone <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	No issues 08-DEC-2022
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:	Toronto Public Health	Division:	Financial Planning
Contact Name:	Althea Hutchinson	Contact Name:	Filisha Jenkins
Comments:	No issues 16-DEC-2022	Comments:	No issues 08-DEC-2022
Division:	CreateTO		
Contact Name:	Samantha Zavaglia		
Comments:	No issues 08-DEC-2022		
Real Estate Law Contact:	Karen Pfuetzner	Date:	08-DEC-2022

APPENDIX A SITE PLAN

