

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

Prepared By:	Akhilesh Tekchand	Division:	Corporate Real Estate Management
Date Prepared:	December 6, 2024	Phone No.:	(416) 648-7061

Purpose: To declare surplus a part of the property municipally known as 1785 Finch Avenue West, subject to the acquisition of said property by the City, with the intended manner of disposal to be by way of a long-term ground lease, for nominal consideration, in favour of Community Music Schools of Toronto (the "Tenant") to construct and operate a non-profit music school.

Property: Part of the property municipally known as 1785 Finch Avenue West, Toronto, legally described as Part of Lot 20, Concession 4, WYS Township of York as in NY458582 except Part 2-3 on 64R-13768; Toronto, being all of PIN 10253-0805 (LT) as shown on the Location Map in Appendix "A" (the "Property"). The leased premises is generally shown as Part 3 on draft plan of survey titled Project No. 22-B7980 prepared by Mauro Group Inc. and dated January 24, 2023, attached hereto as Appendix "B" (the "Leased Premises").

- Actions:**
1. The Leased Premises be declared surplus, conditional upon the City acquiring the Property, with the intended manner of disposal to be by way of a long-term ground lease with the Tenant, for nominal consideration, to permit the Tenant's construction and operation of a non-profit music school.
 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 intended method of disposal is by way of a ground lease for an initial term of thirty (30) years with an option to extend for a further period of ten (10) years and a second option to extend for a further period of nine (9) years and 364 days, for nominal consideration.

The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.

Background:

At the meeting of February 2 - 3, 2022, City Council considered Member Motion MM39.16 Establishing a Music School at York Woods Library, and adopted recommendations which: endorsed the building of a music school on the site of York Woods Library; directed the City Manager to perform a feasibility review with stakeholders; and directed the Executive Director, Social Development, Finance and Administration to commence community consultation for the project.

At its meeting of June 19, 2023, the Toronto Public Library Board approved the transfer of the ownership of the property municipally known as 1785 Finch Avenue West, to the City of Toronto which has the authority to enter into a land lease with the Community Music Schools of Toronto to build a music school. The transfer is in response to Council's endorsement for building of a music school at the site of the York Woods Branch.

On December 8, 2023, by way of DAF 2023-318, authority was granted to the City to acquire legal ownership of the Property from the Toronto Public Library Board.

It is anticipated that the City will take possession of the Property in Q1 2025.

Comments: The typical procedure, including circulation to City Divisions and Agencies to determine municipal interest, has not occurred as, at its meeting in 2022, City Council adopted MM39.16 endorsing the building of music school at the Property. To facilitate this endorsement, a long-term ground lease agreement will need to be entered into with the Tenant.

Property Details:	Ward:	7 - Humber River-Black Creek
	Assessment Roll No.:	Part of 190801138035600
	Approximate Size:	
	Approximate Area:	746.1 m ² ± (8031 ft ² ±)
	Other Information:	
	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Lands are located within the Parks & Open Space Areas of the Official Plan, within or outside of the Green Space System.	

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 Parks & Open Space Areas of the Official Plan, within or outside of the Green Space System:**
 - A. A site-specific Official Plan Amendment has been enacted and is in force exempting the lands from the prohibition on sale or disposal; or
 - B. The Chief Planner & Executive Director of City Planning and the General Manager of Parks, Forestry & Recreation have confirmed that:
 - (a) the land being exchanged is (i) nearby land of equivalent or larger area, and (ii) of comparable or superior green space utility; or
 - (b) the sale or disposal satisfies the criteria for sale or disposal in Policy 4.3.9 of the Official Plan.

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 appropriate standing committee (§ 213-1.6).
 - 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 (§ 213-1.7).
 - 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 (§ 213-1.4):
 - (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 (§ 213-1.5):
 - (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
Acting Manager, Real Estate Services	Dec. 6, 2024	Signed by Leila Valenzuela
Director, Real Estate Services	Dec. 9, 2024	Signed by Alison Folosea
Executive Director, Corporate Real Estate Management	Dec. 9, 2024	Signed by Patrick Matozzo
Deputy City Manager, Corporate Services	Dec. 9, 2024	Signed by David Jollimore

Consultation with Councillor(s):					
Councillor:	Anthony Perruzza				
Contact Name:	Matias de Dovitiis				
Contacted by	Phone	<input checked="" type="checkbox"/>	E-mail	Memo	Other
Comments:	No objections – December 6, 2024				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail	Memo	Other
Comments:					

Consultation with other Division(s):			
Division:	Toronto Public Library	Division:	Financial Planning
Contact Name:	Moe Hosseini-Ara	Contact Name:	Ciro Tarantino
Comments:	No concerns – December 5, 2024	Comments:	No concerns
Real Estate Law Contact:	Gloria Lee	Date:	December 6, 2024

Appendix "A" – Location Map
1785 Finch Avenue West



**Appendix "B" – Leased Premises
Part of 1785 Finch Avenue West**

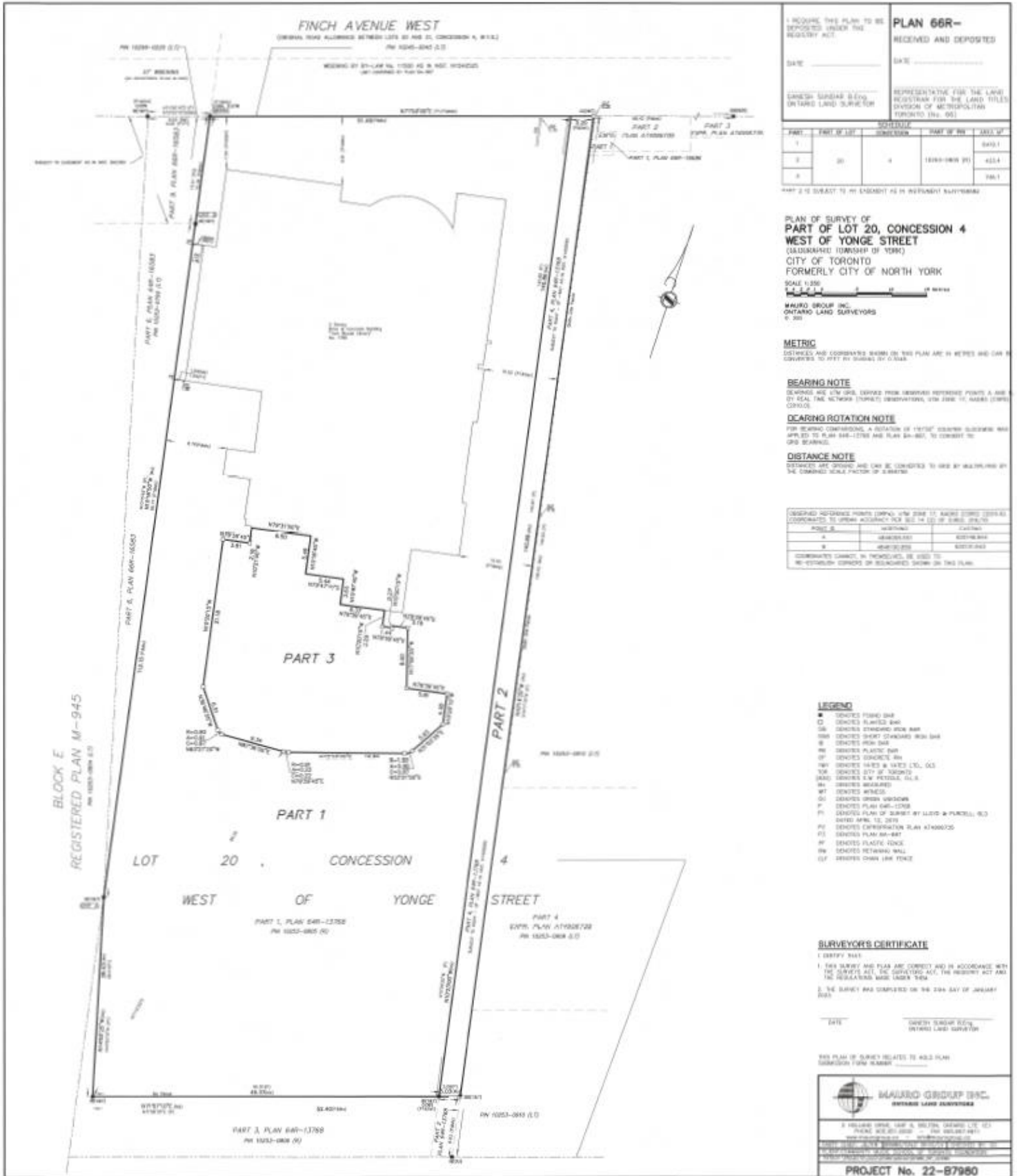


Figure 1 - Leased Premises is generally shown as Part 3