



For Information

Date: July 10, 2018
To: TTC Board
From: Commission Services
Subject: Government Management Committee Item 27.13 – Transfer of TTC Lands at 546 Lansdowne Avenue to the City of Toronto

The subject item is before the TTC Board for its information as per clause 7. of the City Council decision and in response to the December 16, 2015 TTC Board request for direction from City Council.

Original signed by Kevin Lee

Head of Commission Services

Attachments:

Attachment 1 – City Council Decision

Attachment 2 – 546 Lansdowne Avenue – Tamil Co-operative Homes Inc. Air Rights Lease (Public Report to TTC Board dated December 16, 2015)

Attachment 3 – TTC Board Decision - 546 Lansdowne Avenue – Tamil Co-operative Homes Inc. Air Rights Lease



Ulli S. Watkiss
City Clerk

City Clerk's Office

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**In reply please quote:
Ref.: 18-GM27.13**

June 4, 2018

Mr. Rick Leary
Acting Chief Executive Officer
Toronto Transit Commission
1900 Yonge Street
Toronto, Ontario
M4S 1Z2

Dear Mr. Leary:

**Subject: Government Management Committee Item 27.13
Transfer of TTC Lands at 546 Lansdowne Avenue to the City of Toronto
(Ward 18)**

City Council on May 22, 23, and 24, 2018, considered this Item, and a copy is attached for your information or appropriate action.

Yours truly,

A handwritten signature in blue ink, appearing to be "M. Toft", written over a blue circular stamp or seal.

for City Clerk

M. Toft/wg

Attachment

c. City Manager

Government Management Committee

GM27.13		Adopted on Consent		Ward:18
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Transfer of TTC Lands at 546 Lansdowne Avenue to the City of Toronto

City Council Decision

City Council on May 22, 23 and 24, 2018, adopted the following:

1. City Council authorize the assumption by the City for nominal value from the Toronto Transit Commission of title to the property municipally known as 546 Lansdowne Avenue and leases and licenses relating thereto, on terms and conditions acceptable to the Director, Real Estate Services and in a form acceptable to the City Solicitor.
2. City Council authorize the Director, Real Estate Services to assume and amend the existing Air Rights Lease with Tamil Co-operative Homes Inc. (the "Air Rights Lease") substantially on the terms and conditions set out in the attached Appendix A to the report (April 13, 2018) from the Director, Real Estate Services and the General Manager, Shelter, Support and Housing Administration, and on such other terms and conditions acceptable to the Director, Real Estate Services and in a form acceptable to the City Solicitor.
3. City Council authorize the Director, Real Estate Services to execute such documents as required, referred to in Part 1 and Part 2 above.
4. City Council authorize the Director, Real Estate Services or his designate to administer and manage the Property and all agreements relating thereto, including the provision of amendments, consents, approvals, notices, and notices of termination provided that the Director, Real Estate Services may, at any time, refer determination and direction to City Council.
5. City Council authorize the City Solicitor to complete the proposed transactions on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions, on such terms as the City Solicitor considers reasonable.
6. City Council authorize funding the City's outstanding expenses related to the Property in this report from the Council Approved Operating Budget for Facilities Management and Real Estate, Environment and Energy and to transfer the funding for these expenses from the Land Acquisition Reserve Fund (XR1012), with appropriate adjustments to Facilities Management and Real Estate, Environment and Energy Council Approved Operating Budget, as necessary, through subsequent Quarterly Variance Reports.

7. City Council forward its decision to the Toronto Transit Commission Board for information as it responds to the December 16, 2015 Toronto Transit Commission Board request for direction from City Council.

Committee Recommendations

The Government Management Committee recommends that:

1. City Council authorize the assumption by the City for nominal value from the Toronto Transit Commission of title to the property municipally known as 546 Lansdowne Avenue and leases and licenses relating thereto, on terms and conditions acceptable to the Director, Real Estate Services and in a form acceptable to the City Solicitor.
2. City Council authorize the Director, Real Estate Services to assume and amend the existing Air Rights Lease with Tamil Co-operative Homes Inc. (the "Air Rights Lease") substantially on the terms and conditions set out in the attached Appendix A to the report (April 13, 2018) from the Director, Real Estate Services and the General Manager, Shelter, Support and Housing Administration, and on such other terms and conditions acceptable to the Director, Real Estate Services and in a form acceptable to the City Solicitor.
3. City Council authorize the Director, Real Estate Services to execute such documents as required, referred to in Recommendation 1 and Recommendation 2.
4. City Council authorize the Director, Real Estate Services or his designate to administer and manage the Property and all agreements relating thereto, including the provision of amendments, consents, approvals, notices, and notices of termination provided that the Director of Real Estate Services may, at any time, refer determination and direction to City Council.
5. City Council authorize the City Solicitor to complete the proposed transactions on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions, on such terms as she considers reasonable.
6. City Council grant authority to fund the City's outstanding expenses related to the Property in this report from the Council Approved Operating Budget for Facilities Management and Real Estate, Environment and Energy ("FREEE") and to transfer the funding for these expenses from the Land Acquisition Reserve Fund ("LARF") (XR1012), with appropriate adjustments to FREEE's Council Approved Operating Budget, as necessary, through subsequent Quarterly Variance Reports.
7. City Council forward the report (April 13, 2018) from the Director, Real Estate Services and the General Manager, Shelter, Support and Housing Administration to the Toronto Transit Commission (TTC) Board for information as it responds to the December 16, 2015 TTC Board request for direction from City Council.

Origin

(April 13, 2018) Report from the Director, Real Estate Services and the General Manager, Shelter, Support and Housing Administration

Summary

The purpose of this report is to obtain City Council's authority to accept title of the property municipally known as 546 Lansdowne Avenue (the "Property") from the Toronto Transit Commission ("TTC"), and to assume and amend an existing long-term Air Rights Lease agreement with a tenant of the Property, Tamil Co-operative Homes Inc. ("Tamil Co-op"). The Tamil Co-op is a social housing provider, under the jurisdiction of the City of Toronto as Service Manager, pursuant to the Housing Services Act, 2011.

Background Information (Committee)

(April 13, 2018) Report and Appendices A and B from the Director, Real Estate Services and the General Manager, Shelter, Support and Housing Administration on Transfer of TTC Lands at 546 Lansdowne Avenue to the City of Toronto

(<http://www.toronto.ca/legdocs/mmis/2018/gm/bgrd/backgroundfile-114034.pdf>)



**STAFF REPORT
ACTION REQUIRED
with Confidential Attachment**

**546 Lansdowne Avenue – Tamil Co-operative Homes Inc.
Air Rights Lease**

Date:	December 16, 2015
To:	TTC Board
From:	Chief Executive Officer
Reason for Confidential Information:	This report is about a proposed or pending acquisition or disposition of land for municipal or local board purposes.

Summary

The purpose of the report is to seek direction from the Board with respect to a proposal put forward by the Shelter, Support and Housing Administration, City of Toronto (City) and Tamil Co-operative Homes Inc. (Tamil Co-op) with respect to the air rights lease between the Tamil Co-op and the TTC.

There are significant financial challenges facing the Tamil Co-op as a result of the capital expenditures required to its building to bring it up to a state of good repair and then to maintain it at an acceptable and habitable standard. As a result of these challenges, the City Shelter, Support and Housing Administration and the Tamil Co-op have proposed a plan of action to assist the Tamil Co-op.

Recommendations

It is recommended that the Board:

1. (a) adopt the confidential recommendations and instructions to staff set out in Attachment 1; and
- (b) authorize the public release of the confidential information and recommendations contained in Attachment 1 to this report once negotiations with the City of Toronto and the Tamil Co-op regarding this proposal are completed and implemented.

Implementation Points

The recommendation will be implemented through the City's Budget Committee and budgeting process.

Financial Summary

Information regarding the financial impacts are set out in the confidential attachment.

Accessibility/Equity Matters

This report deals with a proposal to amend an agreement with a social housing co-operative. Social housing contributes significantly to the availability of affordable housing options and is vital to the City's efforts to address poverty.

Decision History

Refer to TTC Board Meeting Report No. 20, dated July 15, 1997 "Declaration of Surplus TTC Property and TTC Procedural by-Law for the Disposal of Real Property".

Refer to TTC Committee of the Whole Meeting Report No. 9, dated May 15, 2002, "Wade Yard".

Refer to TTC Committee of the Whole Meeting Report No.21, dated July 16, 2003, "Wade Yard Air Rights Lease – Resolution of Lease Issues".

** Note that the above noted reports are not available electronically, but will be available upon request in hard copy.

Issue Background

At its meetings of November 1, 1966 and May 30, 1967, the Board approved the sale of 30,625 square feet, approximately half of Wade Yard (546 Lansdowne Avenue), to Farrington Holdings Limited (Farrington). At the same time Farrington exercised its option with the TTC to lease approximately 19,500 square feet of air rights from over the remainder of Wade Yard for a term of 99 years. The lease was entered into on October 19, 1967. Farrington sold the land to the Tamil Co-op and transferred the lease by means of an agreement dated October 1, 1986.

The Tamil Co-op project, constructed under a Federal/Provincial housing program in 1989, provides 129 mixed income, not-for-profit co-op housing units. Of the 129 units, 74 are rent geared-to-income units. The City provides subsidies to the Tamil Co-op as per the *Housing Services Act* towards the cost of operating and maintaining the project.

The Tamil Co-op now holds the air rights lease with the TTC dated October 19, 1967 which contributes the equivalent of 59,177 square feet (or approximately 60 housing units) of development density to the housing project. This is a unique situation within the TTC.

Comments

This report is brought forward to the Board at the request of the Shelter, Support and Housing Administration, City of Toronto and the Tamil Co-op. The Tamil Co-op approved going forward to TTC with its proposal at a meeting it held in November of 2014.

Contact

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Attachments

Confidential Attachment 1

03078-31-189



Decision: 546 Lansdowne Avenue – Tamil Co-operative Housing Inc. Air Rights Lease

Meeting Date: December 16, 2015

The Board:

1. Adopted the confidential recommendations and instructions to staff set out in Attachment 1, as amended; and
2. Authorized the public release of the confidential information and recommendations contained in Attachment 1 to this report once negotiations with the City of Toronto and the Tamil Co-op regarding this proposal are completed and implemented.