

MM25.54	ACTION	Amended		Ward:28
---------	--------	---------	--	---------

**Acquisition of the First Parliament Site, 271 Front Street East and 25 Berkeley Street - by Councillor Pam McConnell, seconded by Councillor Paul Ainslie**

**City Council Decision**

City Council on July 11, 12 and 13, 2012, adopted the following:

1. City Council grant authority to the Director of Real Estate Services to initiate the expropriation proceedings for the Property.
2. City Council grant authority to serve and publish Notices of Application for Approval to Expropriate the Property, to forward to the Chief Inquiry Officer any requests for hearings that are received and to report the Inquiry Officer's recommendations to Council for its consideration.
3. City Council grant authority for the City to enter into an agreement, possibly a Section 30 Agreement, with the then current owner of the Property, (and any such other related and required agreements), substantially on the terms in Attachment 1 and in Confidential Attachment 2 to the report (July 11, 2012) from the Acting Chief Corporate Officer, with such revisions thereto (if any), together with such other terms as may be deemed appropriate by the Chief Corporate Officer and in a form satisfactory to the City Solicitor.
4. City Council authorize, despite the likely contamination on the Property, the extent of which is unknown and open-ended, that the City proceed with the acquisition of the Bresler Lands as described in the report (July 11, 2012) from the Acting Chief Corporate Officer.
5. City Council direct City staff to work with Waterfront Toronto and the Province of Ontario to satisfy the objectives of the West Donlands affordable housing agreement between Waterfront Toronto, the City and Province of Ontario as it relates to this site, in a manner acceptable to all three parties.
6. City Council grant authority to amend the 2012 Approved Capital Budget and the 2013 to 2021 Capital Plan for Toronto Public Library to accelerate the relocation of the processing facility to be consolidated at the 1076 Ellesmere Library, through the City's Quarterly Variance Report once estimates are firm, funded from the Land Acquisition Reserve, and that the Toronto Public Library debt target be reduced by an equal value in 2022 and beyond.
7. City Council grant authority to make any other appropriate budget adjustments to Programs' capital and/or operating budgets affected by this property acquisition and to transfer funding for the expenses outlined in Confidential Attachment 2 to the report

(July 11, 2012) from the Acting Chief Corporate Officer, from the Land Acquisition Reserve Fund (LARF), through subsequent Quarterly Variance Reports.

8. City Council authorize the City Solicitor to complete the transactions contemplated in this Item on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other conditional dates and any other dates, and amending and waiving terms and conditions, as she may consider reasonable.
9. City Council authorize the public release of the confidential information in Confidential Attachment 2 to the report (July 11, 2012) from the Acting Chief Corporate Officer on the closing of the transactions contemplated in this Item.
10. City Council authorize the Director of Real Estate Services to negotiate with Bresler, to arrange for the construction of a turnkey Library processing centre at the preferred site (1076 Ellesmere Road, a City Operations Yard), or alternatively another City-owned site, based on terms and conditions satisfactory to the Director of Real Estate Services in consultation with the Chief Librarian.
11. To accommodate the construction period or if an agreement cannot be reached with Bresler on the construction of the Library Processing Centre, City Council authorize the Director of Real Estate Services to negotiate a minimum 18 month free rent with an extension of 18 months at rent equivalent to rent being received at 271 Front Street East at that time. This will facilitate the move to 1076 Ellesmere Road.
12. City Council amend the 2012 Approved Capital Budget and the 2013 and 2014 Capital Plan for Toronto Public Library by increasing gross expenditures by \$9.333 million, \$0 net, with cash flows of \$0.250 million in 2012, \$6.0 million in 2013 and \$3.080 million in 2014, funded from the Land Acquisition Reserve Fund (LARF) (XR-1012) for the acceleration of the relocation of the processing facility to be consolidated at the 1076 Ellesmere Library and that the Toronto Public Library debt target be reduced by an equal value in 2022 and beyond.
13. City Council authorize the Director of Real Estate Services to explore further cost reductions with the appropriate Provincial authorities and request that no Provincial Land transfer Tax be paid to the Province, given that the exchange of lands is in the public interest and of cultural significance.
14. City Council direct the Acting Chief Corporate Officer to come to an agreement with the Toronto Parking Authority for the temporary replacement of 84 parking spaces or equivalent from 43A Parliament Street (municipal Carpark 126) to 271 Front Street East/25 Berkeley Street, at no cost to the Toronto Parking Authority and that in the future, if the Toronto Parking Authority is required to relocate to a permanent location, a report be submitted to the Toronto Parking Authority and City Council for funding of the permanent replacement facility.

Confidential Attachment 2 to the report (July 11, 2012) from the Acting Chief Corporate

Officer remains confidential in its entirety at this time in accordance with the City of Toronto Act, 2006, as it pertains to a proposed or pending acquisition or sale of land for municipal or local board purposes. The confidential information in Confidential Attachment 2 will be made public on the closing of the transactions contemplated in this Item.

**Confidential Attachment - A proposed or pending acquisition or sale of land for municipal or local board purposes**

**Background Information (City Council)**

Member Motion MM25.54

(<http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-49088.pdf>)

(July 11, 2012) Report from the Acting Chief Corporate Officer on Acquisition of the First Parliament Site, 271 Front Street East and 25 Berkeley Street

Attachment 1 - Term Sheet

(<http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-49090.pdf>)

Confidential Attachment 2