

**Declaration as Surplus
453 Spadina Road - Municipal Carpark No.164
(Ward 23 - Midtown)**

(City Council on November 23, 24 and 25, 1999, adopted this Clause, without amendment.)

The Administration Committee recommends the adoption of the following report (October 16, 1999) from the Acting Commissioner of Corporate Services:

Purpose:

To secure authority to declare that portion of the property not needed for municipal parking purposes surplus to municipal requirements.

Financial Implications:

Revenue will be generated from the eventual sale.

Recommendations:

It is recommended that:

- (1) the property known municipally as 453 Spadina Road, save and except a fee simple interest in the form of a strata interest in three levels of the proposed parking garage, be declared surplus to the City's requirements and all steps necessary to comply with By-law 551-1998 be taken; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

City Council at its meeting held on August 11, 1986, adopted a report from the Parking Authority of Toronto, Minute No. 1982, thereby authorizing a land exchange. As a result, the City acquired 453 Spadina Road for municipal parking purposes. 453 Spadina Road is currently operated as a surface carpark by the Toronto Parking Authority (Carpark No. 164), containing 43 parking spaces.

Toronto Parking Authority staff have determined that there is a parking shortfall of 20 spaces in the Spadina Village area and believe that a joint venture with a private developer to redevelop 453 Spadina Road is a practical solution to expand parking at no cost to the City. The proposed project will have 9 to 11 townhomes and a public garage containing approximately 63 parking spaces for the Parking Authority and sufficient parking to meet the needs of the residential development on the lower level of the garage.

The Toronto Parking Authority will be in a position to report to Council on the details of the sale to the private developer, once the property has been declared surplus.

Comments:

Prior to entering into a formal agreement to redevelop the site, the Parking Authority has requested that a circulation to the City's agencies, boards, commissions and departments be undertaken to ascertain whether or not the property can be declared surplus to the City's requirements. The circulation has been completed and no municipal interest was expressed. The Property Management Committee has reviewed this matter and concurs with the recommendations of this report. The Parking Authority has further advised that in consultation with the Ward Councillors a community meeting was held to inform the area residents of the proposed development.

In order to proceed with the proposed development of 453 Spadina Road, the City must comply with the procedures governing disposal of property. Section 193(4) of the *Municipal Act* requires that, before selling any property, Council must declare the property to be surplus by by-law or resolution passed at a meeting open to the public, give notice to the public of the proposed sale and obtain at least one appraisal of the market value of the property, unless exempted by regulations passed under the legislation.

Conclusion:

To comply with the *Municipal Act*, in order to proceed with the proposed development of the site, City Council should declare 453 Spadina Road, save and except a fee simple interest in the form of a strata interest in three levels of the proposed parking garage, surplus to the City's requirements.

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(A copy of the maps attached to the foregoing report was forwarded to all Members of Council with the November 2, 1999, agenda of the Administration Committee and a copy thereof is also on file in the office of the City Clerk.)