

**Sale of Surplus Spadina Property
at 200 Ava Road
Ward 28, York Eglinton**

(City Council on December 14, 15 and 16, 1999, adopted this Clause, without amendment.)

The York Community Council recommends the adoption of the following report (November 16, 1999) from the Acting Commissioner of Corporate Services:

Purpose:

To authorize the disposal of the property municipally known as 200 Ava Road.

Financial Implications:

Revenue of \$318,318.00, less closing costs and the usual adjustments, subject to the revenue sharing agreement with the Province pursuant to the former Metropolitan Corporate Administration Committee Report No. 25, Clause No. 1, approved on December 4, 1996.

Recommendations:

It is recommended that:

- (1) the Acting Commissioner of Corporate Services or the Executive Director of Facilities and Real Estate be authorized to accept the highest offer in the amount of \$318,318.00 as detailed herein;
- (2) Council, pursuant to Clause No. 14, Report No. 36 of the former Metropolitan Management Committee adopted on September 28, 1994, waive the minimum required deposit of 10 percent. of the purchase price;
- (3) authority be granted to direct a portion of the sale proceeds on closing to fund the outstanding balance of Costing Unit No. CA700CA2468;
- (4) the City Solicitor be authorized and directed to take the appropriate action, in conjunction with the Province of Ontario Officials and/or agents, to complete this transaction on behalf of the City of Toronto and be further authorized to amend the closing date to such earlier or later date as considered reasonable; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

The Province of Ontario is the owner of 200 Ava Road, subject to a ninety-nine year lease in favour of the City of Toronto. By its adoption of Clause No. 1 of Report No. 3 of the Corporate Administration Committee on February 12 and 13, 1997, Metropolitan Council declared the property surplus pursuant to By-law No. 56-95 and authorized its disposal. The processes with respect to By-law No. 56-95 have been complied with, a utility canvass has been completed and no requirements have been identified.

By its adoption of Clause No. 4 of Report No. 9 of the Corporate Services Committee of July 8, 9 and 10, 1998, Toronto Council authorized that properties listed in Schedule "A", including the subject property be sold to former owners at market value determined as of the date of expression of their interest and that such sale be subject to an option to repurchase at that purchase price (unadjusted) for a period of two years. Accordingly, the former owner was provided with our February 12, 1997 appraisal estimating the fair market value of this property at \$275,000.00 together with an agreement of purchase and sale. The former owner, Alice Model, rejected the City's offer, and requested the matter of market value be referred to arbitration in conformance with Council's directive to have a third party arbitrator attempt to bring the parties together (Clause No. 4, Report No. 9, Corporate Services Committee adopted as amended by Council at the meeting held on July 8, 9 and 10, 1998). An arbitration hearing was held on July 14, 1999 at which time both parties presented oral and written submissions, in support of their respective estimates of market value.

In a written decision, the arbitrator, Ms. Patricia Dunn concluded that a purchaser in the open market might be successful in negotiating an abatement of \$10,000 to \$15,000 resulting in a purchase price of \$260,000 to \$265,000. Accordingly, the former owner was provided with this information and a new offer but did not proceed with the purchase of this vacant property.

Comments:

Pursuant to the February 12 and 13, 1997 and July 8, 9 and 10, 1998 authorities, the property was listed with Paul Slavens Real Estate Inc. on October 14, 1999 at an asking price of \$279,900.00. As a result the following offers were received:

Purchaser:	Purchase Price	Deposit	Terms:
Jacqueline Flatt	\$318,318.00	\$16,000.00 (bank draft)	no conditions
Ellen Rotstein	\$311,752.00	\$16,000.00 (bank draft)	no conditions
Steven Little	\$305,000.00	\$15,250.00 (certified cheque)	no conditions
Macro Investments Inc.	\$301,500.00	\$15,500.00 (bank draft)	no conditions

Tova & Baron Manett	\$295,200.00	\$15,000.00 (certified cheque)	no conditions
Joshua Bertini & Louise Reis-Bertini	\$292,000.00	\$50,000.00 (bank draft)	no conditions
Caroline Levitt	\$292,000.00	\$14,600.00 (bank draft)	no conditions
Terrance James Button	\$291,500.00	\$14,575.00 (certified cheque)	no conditions
Jonathan Collins	\$287,518.00	\$15,000.00 (bank draft)	no conditions
Anita Yolande Lopez & Bryan Kenneth Davis	\$270,000.00	\$13,500.00 (bank draft)	no conditions
X-Dmz.net Communications Ltd.	\$168,680.00	\$12,000.00 (bank draft)	no conditions

The highest offer is recommended for acceptance:

Property Address: 200 Ava Road

Legal Description: Lot 157, Registered Plan 2338, City of Toronto (formerly City of York)

Approximate Lot Size: 9.14 metres (45.33 feet) on Strathearn Road, 41.46 metres (136.02 feet) fronting on Ava Road

Location: North west corner of Ava and Strathearn Roads

Improvements: Detached, 2-bedroom brick 2-storey dwelling

Occupancy Status: Vacant

Recommended Sale Price: \$318,318.00

Deposit: \$16,000.00 (certified cheque)

Purchaser: Jacqueline Flatt

Closing Date: March 30, 2000

Terms: Cash on closing, subject to the usual adjustments
Listing Broker: Paul Slavens Real Estate Inc.
Selling Broker: Savvy Realty Corp.
Commission: Four (4) percent, plus GST, payable on closing of the transaction

By the adoption of Clause No. 5 of Report No. 9 of the Corporate Services Committee, Council at the meeting held on July 8, 9 and 10, 1998 directed that comparable sales data must be provided in future reports of property sales. Appendix "A" identifies three comparable properties located in the vicinity that have recently sold. While comparable sales information can be included as part of the staff report, this property was listed for sale on the TREB multiple listing service and the forces of the market place have determined the true market value.

Conclusion:

Completion of the transaction detailed above is considered fair and reasonable and reflective of market value.

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APPENDIX "A"

200 Ava Road - Comparable Sales Data

The following three addresses represent comparables sales of properties that are similar to the residence which forms the subject matter of this report. These properties are detached brick dwellings.

Address:	Lot Size:	Sale Price:	Date of Sale
103 Everden Road	25 x 132.9	\$300,300.00	August 7, 1998
47 Westover Hill Road	33 x 100	\$307,000.00	October 1999
171 Strathearn Road	30 x 136	\$342,100.00	June 19, 1998

Location Map – 200 Ava Road