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CITY OF TORONTO

BY-LAW No. 551-1998

To establish procedures governing the sale of real property.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. In this By-law

- (a) “Act” means the *Municipal Act*, R.S.O. 1990, c. M.45 and includes Regulations made thereunder;
- (b) “appraisal” means written opinion of value providing information sufficient to satisfy the Commissioner that the opinion is reasonable;
- (c) “City” means the City of Toronto;
- (d) “Commissioner” means the Commissioner of Corporate Services and includes his/her designate;
- (e) “Council” means the Council of the City of Toronto;
- (f) “land” means land as defined in the *Act*;
- (g) “Public Land Register” means the public register of all *real property* owned or leased by the City, maintained in accordance with section 5 as required by, and subject to all exceptions in, the *Act*;
- (h) “purchaser” means any person who enters into an agreement with the City to acquire a site by way of a sale;
- (i) “real property” means land which is owned by the City and includes land which is owned by its Agencies, Boards or Commissions, the jurisdiction for the *sale* of which has been transferred to the City;
- (j) “sale” means any agreement to sell *real property* including a disposal by way of a lease of 21 years or longer;
- (k) “site” means an identified or identifiable parcel of *real property*; and
- (l) “surplus” means *real property* which is no longer required by the City for municipal purposes.

2. The *Commissioner*, on the advice of the Property Management Committee, shall be responsible for reporting on *sites* which are *surplus* and the manner or process by which the *sale* of the *site* will be carried out.

3. (1) Where *Council* has

- (a) declared a *site* to be *surplus* in accordance with the *Act*, and
- (b) approved the manner or process by which the *sale* of the *site* will be carried out,

the *Commissioner* shall give notice to the public of the proposed *sale* in accordance with this section.

(2) Notice to the public of a proposed *sale* of a *site* shall be given by at least one of the following methods, as the *Commissioner* may deem reasonable in the circumstances:

- (a) by posting a clearly visible sign on the *site* for a period of not less than 7 days;
- (b) by distribution by regular mail or hand delivery of a communication in writing to owners and tenants as shown on the latest revised assessment roll, of properties within 100 metres of the *site*; or
- (c) by publication in a newspaper having circulation in the area of the *site*.

(3) The requirements of subsection (2) are minimum requirements and the *Commissioner* is authorized to give notice to the public of a proposed *sale* in any extended manner if, in the opinion of the *Commissioner*, such extended manner is reasonable and necessary in the circumstances.

(4) In addition to the notice required by subsection (2), notice to the public of a proposed *sale* shall be posted by the Clerk in the office where the *Public Land Register* is maintained.

(5) A notice of proposed *sale* given under clauses (2)(b) or (c) and subsection (3) of this section 3 shall contain at least the following information:

- (a) a general description of the manner by which the *sale* will be carried out;
- (b) location of the *site* by reference to municipal address or legal description or both;
- (c) approximate size of the *site* by reference to dimensions and area, or both, and a brief description of any buildings or other improvements situate thereon;

- (d) the date the *real property* was declared *surplus*;
- (e) the name, title, address and telephone number of the *City* official(s) having information about the proposed *sale*; and
- (f) the latest date by which enquiries may be made of any official described in clause (e).

(6) A notice of a proposed *sale* given by posted sign under clause (2)(a) shall contain at least the information described in clauses (5)(a) and (e) of this section 3.

4. (1) The *Commissioner* shall be responsible for having an *appraisal* prepared prior to the consideration by *Council* of authorization of the *sale* of any *site* except in those cases where an *appraisal* is not required by the *Act*.

(2) The *Commissioner* shall provide the City Clerk with sufficient information to permit the Clerk to issue a certificate in accordance with subsection 193(9) of the *Act*.

5. (1) The *Public Land Register* shall be made available to the public through the office of the City Clerk.

(2) The information necessary to maintain the *Public Land Register* shall be provided to the City Clerk by the *Commissioner*.

(3) The *Public Land Register* shall contain the following information with respect to each *site* listed therein:

- (a) the municipal address or a description of the location by reference to public highways within the *City*;
- (b) approximate size by reference to dimensions or area, or both; and
- (c) whether the *site* is owned by or leased to the *City*.

(4) The *Public Land Register* may for any *site* contain any information additional to that described in subsection (3) which the *Commissioner* considers relevant, including

- (a) a legal description,
- (b) a description of any improvements thereto,
- (c) whether *Council* has declared the *site* to be *surplus*, and
- (d) whether the *City*, as owner, has granted a long-term lease or other right to occupy the *site* and, if so, the duration thereof.

(5) The City Clerk, on the advice of the *Commissioner*, shall delete all reference to a *site* in the *Public Land Register* following the completion of a *sale* thereof where the *City* retains no further ownership interest therein.

6. None of the provisions of this by-law shall apply to *lands* which are municipal capital facilities in accordance with subsection 210.1(3) of the *Act*.

7. This By-law shall be deemed to have come into force on the date of its enactment.

ENACTED AND PASSED this 31st day of July, A.D. 1998.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)