



## STAFF REPORT ACTION REQUIRED

### To Declare Surplus the City-owned Parcel of Land adjoining 90 Old Mill Road

<b>Date:</b>	March 19, 2007
<b>To:</b>	Government Management Committee
<b>From:</b>	Chief Corporate Officer
<b>Wards:</b>	Ward 5 – Etobicoke-Lakeshore
<b>Reference Number:</b>	p:\2007\Internal Services\F&re\Gm07018F&re – (AFS 4454)

#### SUMMARY

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The purpose of this report is to declare a City-owned parcel of land adjoining 90 Old Mill Road surplus to municipal requirements and to authorize the Chief Corporate Officer to invite an offer to purchase from the owner of 90 Old Mill Road.

#### RECOMMENDATIONS

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**The Chief Corporate Officer recommends that:**

1. The parcel of land adjoining 90 Old Mill Road, being Lot 14 on Plan M-1052, subject to the reservation of an easement for TTC purposes over the entire area (the “Property”), be declared surplus to the City’s requirements.
2. The Chief Corporate Officer be authorized to invite an offer to purchase from the owner of 90 Old Mill Road.
3. Staff take all steps necessary to comply with the City’s real estate disposal process as set out in Chapter 213 of the City of Toronto Municipal Code.
4. City Council approve, as the approving authority under the provisions of the *Expropriations Act*, the disposal of the Property without giving the original owners from whom the Property was expropriated the first chance to repurchase these lands.

## **Financial Impact**

Revenue will be generated from the eventual sale.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

## **DECISION HISTORY**

Metropolitan Council on January 9, 1964, passed By-Law No. 2156, thereby expropriating in fee simple the front portion of 90 Old Mill Road in connection with the Bloor-Danforth subway line expansion in accordance with identified property requirements.

## **ISSUE BACKGROUND**

The Property was expropriated in 1964 in connection with the Bloor-Danforth subway line expansion. The owner of 90 Old Mill Road has expressed interest in acquiring the Property. The Toronto Transit Commission has no objection to the disposition of the Property but it has advised that it requires an easement over the entire Property for TTC purposes.

## **COMMENTS**

A circulation to the City's Agencies, Boards, Commissions and Divisions was undertaken to ascertain whether or not there is any municipal interest in retaining the Property. The TTC requires an easement over the entire Property for TTC purposes. Staff of the Affordable Housing Office has determined that there is no interest in the Property for affordable housing. No other municipal interest was expressed. Accordingly, this report recommends that the Property be declared surplus to municipal requirements. The Property Management Committee has reviewed this matter and concurs.

## **Details of the Property to be declared surplus are as follows:**

<b>Subject Property</b>	<b>Parcel adjoining 90 Old Mill Road</b>
<b>Legal Description:</b>	<b>Part of Lot 14, Plan M-1052</b>
<b>Assessment Roll Number:</b>	<b>Part of 1919-01-1-060-00900</b>
<b>Approximate Size:</b>	<b>Triangular in shape</b>
<b>Approximate Area:</b>	<b>82.3m<sup>2</sup> ( 885.8 ft<sup>2</sup>)</b>
<b>Zoning:</b>	<b>R2 - Residential</b>
<b>Official Plan:</b>	<b>Neighbourhoods</b>
<b>Current Status:</b>	<b>Vacant Land</b>

In order to proceed with the disposal of the Property, the City must comply with its procedures governing the disposal of property. Before disposing of any property (including a lease of 21 years or longer), Council declares the property to be surplus by by-law or resolution, notice of the proposed disposal and the manner of disposition is given to the public, and at least one appraisal of the market value of the property is obtained.

The *Expropriations Act* requires that where lands that have been expropriated by an expropriating authority are found to be no longer required for its purpose, the expropriating authority shall not, without the approval of the approving authority, dispose of the lands without giving the owners from whom the lands were taken the first chance to repurchase the lands. In view of the time that has passed since the expropriation, the City should waive the requirement to offer to the original owners from whom the lands were expropriated the first chance to repurchase the lands.

## **CONTACT**

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## **SIGNATURE**

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Bruce Bowes, P. Eng.  
Corporate Chief Officer

## **ATTACHMENTS**

Appendix "A" – Site Map