

Appendix A

Authority: Government Management Committee Item No. as adopted by City of Toronto Council on , 2007.

Enacted by Council:
Bill No.

CITY OF TORONTO

BY-LAW NO. ■-2007

To adopt a new City of Toronto Municipal Code Chapter 213, Sale of Real Property,

WHEREAS paragraph 1 of subsection 212(1) of the *City of Toronto Act, 2006* requires that the City shall adopt and maintain policies with respect to its sale and other disposition of land;

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

1. Chapter 213, Sale of Real Property, of The City of Toronto Municipal Code is repealed, and replaced with the following:

Chapter 213 Real Property, Sale of

§ 213-1. City policy.

This chapter constitutes the City's policy with respect to its sale and other disposition of land as required by paragraph 1 of subsection 212(1) of *City of Toronto Act, 2006*.

§ 213-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ACT — *City of Toronto Act, 2006* and includes regulations made under it.

APPRAISAL — Written opinion of value providing information sufficient to satisfy the Chief Corporate Officer that the opinion is reasonable.

CHIEF CORPORATE OFFICER — The City's Chief Corporate Officer including his or her successor and designate from time to time.

CLERK — Clerk of the City of Toronto, including his or her successor and designate from time to time.

LAND — Land as defined in the Act, that is owned by the City, or that is owned by its agencies, boards or commissions, the jurisdiction for the sale of which has been transferred to the City.

PUBLIC LAND REGISTER — The Public Register of Land owned by the City.

PURCHASER — Any person who enters into an agreement with the City to acquire land by way of a sale.

SALE — A commitment to sell or otherwise dispose of land, including a disposal by way of a lease of 21 years or longer.

SURPLUS — Land which the City intends to sell or otherwise dispose of.

§ 213-3. Conditions for a sale of land.

Before a sale of any land,

- A. The land shall be declared surplus and the intended manner or process by which the sale of the land will be carried out shall be approved;
- B. At least one appraisal of the fair market value of the land shall be obtained; and
- C. Notice of the proposed sale shall be given to the public.

§ 213-4. Sale to public bodies.

The Chief Corporate Officer may determine that § 213-3B does not apply to a sale of land to the following public bodies:

- A. A municipality.
- B. A local board, including a school board and a conservation authority.
- C. The Crown in right of Ontario or Canada and their agencies.

§ 213-5. Sale of certain classes of land.

The Chief Corporate Officer may determine that § 213-3B or C, or both, do not apply to a sale of land in the following classes:

- A. Land 0.3 metres or less in width acquired in connection with an approval or decision under the *Planning Act*.
- B. Closed highways if sold to an owner of land abutting the closed highways.
- C. Land formerly used for railway lines if sold to an owner of land abutting the former railway land.
- D. Land that does not have direct access to a highway if sold to the owner of land abutting that land.
- E. Land repurchased by an owner in accordance with section 42 of the *Expropriations Act*.
- F. Easements.

§ 213-6. Authority to declare surplus.

The Chief Corporate Officer is authorized to declare land surplus and to approve the intended manner or process by which the sale of the land will be carried out.

§ 213-7. Notice of proposed sale.

- A. Where land has been declared surplus and the intended manner or process by which the sale of the land will be carried out has been approved, the Chief Corporate Officer shall give notice to the public of a proposed sale in such manner as the Chief Corporate Officer may determine, but including at least one of the following methods:
- (1) By posting a sign on the land for a period of not less than seven days.
 - (2) By publication in a newspaper in circulation in the area of the land.
- B. A notice of proposed sale given under Subsection A(2) shall contain at least the following information:
- (1) A general description of the manner by which the sale will be carried out.
 - (2) Location of the land by reference to municipal address or legal description, or both.
 - (3) Approximate size of the land by reference to dimensions and area, or both, and a brief description of any buildings or other improvements situate thereon.
 - (4) The date the land was declared surplus.
 - (5) The name, title, address and telephone number of one or more City officials having information about the proposed sale.
 - (6) The latest date by which enquiries may be made of any official described in Subsection B(5).
- C. A notice of a proposed sale given by posted sign under Subsection A(1) shall contain at least the information described in Subsection B(1) and (5) of this section.

§ 213-8. Certificate of Clerk.

- A. The Clerk may issue a certificate with respect to a sale of land by the City verifying that, to the best of her knowledge, the requirements of this by-law applicable to a sale of land have been complied with.
- B. The Chief Corporate Officer shall provide the Clerk with sufficient information to permit the Clerk to issue a certificate with respect to a sale of land by the City.
- C. A certificate issued by the Clerk under this chapter of the Municipal Code shall be deemed to be sufficient proof that the provisions of this by-law with respect to a sale of land have been complied with.

§ 213-9. Public Land Register.

- A. The City shall establish and maintain a Public Land Register.
- B. The Public Land Register shall be made available to the public through the office of the Clerk.
- C. The information necessary to maintain the Public Land Register shall be provided to the Clerk by the Chief Corporate Officer.
- D. The Public Land Register shall contain the following information with respect to land listed therein:
 - (1) The municipal address or a description of the location by reference to public highways within the City.
 - (2) Approximate size by reference to dimensions or area, or both.

§ 213-10. Exemption from Public Land Register.

The following classes of land are not required to be included in the Public Land Register.

- A. Land 0.3 metres or less in width acquired in connection with an approval or decision under the *Planning Act*.
- B. Highways.
- C. Land formerly used for railway lines.
- D. Easements.

2. This by-law shall come into force on the date of its enactment.

ENACTED AND PASSED this day of , A.D. 2007.

DAVID R. MILLER,
 Mayor
(Corporate Seal)

ULLI S. WATKISS
 City Clerk

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