



STAFF REPORT ACTION REQUIRED

To Permanently Close and Declare Surplus a Portion of Overland Drive, adjoining 3 Tottenham Road

Date:	March 7, 2007
To:	North York Community Council
From:	General Manager, Transportation Services & Chief Corporate Officer
Wards:	Ward 25 – Don Valley West
Reference Number:	p:\2007\Internal Services\F&re\Ny07017F&re – AFS 4502

SUMMARY

The purpose of this report is to permanently close and declare a portion of Overland Drive adjoining 3 Tottenham Road surplus to municipal requirements, and to authorize the Chief Corporate Officer to list the property for sale on the open market.

RECOMMENDATIONS

The General Manager of Transportation Services and the Chief Corporate Officer recommend that:

1. Subject to compliance with the requirements of Chapter 162 of the City of Toronto Municipal Code, and subject to Council approving the sale of the portion of Overland Drive adjoining 3 Tottenham Road, being a portion of Overland Drive on Plan 4761 and shown as Part 1 on Sketch No. PS-2005-040 (“the Highway”), the Highway be permanently closed as a public highway.
2. Subject to Council approving the sale of the Highway, notice be given to the public of a proposed by-law to permanently close the Highway, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code and the North York Community Council hear any member of the public who wishes to speak to the matter during consideration of the proposed by-law.
3. The Highway be declared surplus to the City’s requirements, and the Chief Corporate Officer be authorized to to list the Highway for sale on the open market.

4. All steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken.

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

The Highway and other lands were acquired for public highway purposes in 1955. Staff of Transportation Services has advised that the Highway is surplus to its requirements and can be permanently closed. A member of the general public has expressed interest in purchasing the Highway.

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 Highway. Staff of 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 Highway be permanently closed and be declared surplus to municipal requirements. The Property Management Committee has reviewed this matter and concurs.

Details of the Highway are as follows:

Subject Property	Portion of Overland Drive, adjoining 3 Tottenham Road
Legal Description:	Portion of Overland Drive on Plan 4761; also shown as Part 1 on Sketch PS-2005-040
Approximate Size:	17.7 m x 39.6 m (58.1 ft x 129.9 ft)
Approximate Area:	603.1 m ² ± (6,491.7 ft ² ±)
Zoning:	R4 - Residential
Official Plan:	Neighbourhoods
Current Status:	Untravelled road allowance

In order to proceed with the disposal of the Highway, the City must comply with its procedures governing 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 closing process requires three separate approvals from Council. The first approval declares the subject lands surplus and initiates the process to close the highway, the second approval authorizes the terms and conditions of the sale of the subject lands and the third and final Council approval authorizes the closing By-law. In addition, the public has the opportunity to speak to the matter if they wish to do so at Community Council during consideration of the draft by-law.

The Municipal Class Environmental Assessment does not apply to the closure of the Highway, as the Highway is an untravelled portion of the road allowance. The closure of the Highway is exempt from the requirements of the Environmental Assessment Act.

As there is no municipal interest in retaining the Highway, the Highway should be permanently closed and declared surplus, and the Chief Corporate Officer be authorized to list the Highway for sale on the open market.

CONTACT

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SIGNATURE

Gary Welsh, P. Eng.
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Bruce Bowes, P. Eng.
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ATTACHMENTS

Appendix "A" – Site Map