

## **Sale of Public Lane Abutting 181 to 185 Willowdale Avenue**

<b>Date:</b>	April 10, 2007
<b>To:</b>	North York Community Council
<b>From:</b>	Chief Corporate Officer
<b>Wards:</b>	Ward 23-Willowdale
<b>Reference Number:</b>	P:\2007\Internal Services\F&re\Ny07029F&re (AFS – 4830)

### **SUMMARY**

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The purpose of this report is to obtain approval for the sale of the public lane at the rear of 181 to 185 Willowdale Avenue, extending south from Hollywood Avenue and shown as Part 1 on Sketch No. PS-2003-067 attached as Appendix “B”.

Negotiations with the adjoining land owner, Hanamar Investments Inc., resulted in the Offer to Purchase that is being recommended for acceptance by the City.

The terms for completing the transaction as set out herein are considered to be fair, reasonable and reflective of market value.

### **RECOMMENDATIONS**

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**The Chief Corporate Officer recommends that:**

1. The City of Toronto accept the Offer to Purchase from Hanamar Investments Inc. to purchase the City-owned property described as the 12 Foot Lane on Plan 1801 adjoining Lot 66 (the “Lane”), in the amount of \$66,000.00, substantially on the terms and conditions outlined in Appendix “A” to this report.

2. Each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept the Offer to Purchase on behalf of the City.
3. A portion of the proceeds of closing be directed to fund the outstanding expenses related to the Lane and the completion of the sale transaction.
4. The City Solicitor be authorized to complete the transaction on behalf of the City, including making payment of any necessary expenses and amending the closing and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.

### **Financial Impact**

Revenue in the amount of \$66,000.00 plus GST if applicable, less closing costs and the usual adjustments is anticipated.

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

### **DECISION HISTORY**

At its meeting held on April 25, 26 and 27, 2006, City Council adopted Clause No. 19 of Report No. 3 of the North York Community Council, thereby approving the permanent closure of the Lane and declaring the Lane surplus to the City's requirements. Council further authorized the Chief Corporate Officer to invite an offer to purchase from the adjoining property owner at 181 and 183 Willowdale Avenue. 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 have been complied with.

### **ISSUE BACKGROUND**

In 1912, the former Township of York acquired the Lane located at the rear of 181-185 Willowdale Avenue and extending south from Hollywood Avenue, through the registration of Plan of Subdivision 1801. The Lane has never been assumed by the City or its predecessors but is used by the owner of 181-183 Willowdale Avenue as an alternate means of accessing the rear of its property. The abutting owner of 181-183 Willowdale Avenue has expressed interest in acquiring the Lane and has submitted an application for site plan approval to allow a building addition to the existing commercial use on its property.

### **COMMENTS**

Two other properties located at 211 Hollywood Avenue and 185 Willowdale Avenue also abut the Lane, but Transportation Services has advised that these properties do not rely on the Lane for access as they currently gain access from the adjacent streets. Given that these properties do not make use of the Lane, in this particular instance it appears unnecessary to require the purchaser to obtain the consent of these two property owners prior to the Lane being closed.

Transportation Services determined that the Lane can be closed and sold provided that easements are granted to the affected utility companies for the existing utilities plant located in the southerly end of the Lane, or, with the consent of the respective utility companies, the

purchaser be required to pay the costs of relocating, adjusting and/or abandoning the existing utilities plant located in the Lane, with such costs to be determined by the appropriate utility companies.

Further details of the Property are:

Approximate Site Dimensions: East/West Measurement North/South Measurement:	4 m (13.12 ft) 41 m (134.51 ft)
Approximate Site Area:	150 m <sup>2</sup> (1,614.6 ft <sup>2</sup> )

A Cost Centre has been put in place to charge costs directly related to the sale of City-owned properties, and includes such items as commission, surveying and registration costs. A recommendation is included in this report to direct a portion of the sale proceeds to fund the outstanding expenses related to this property.

## CONTACT

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## SIGNATURE

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Bruce Bowes, P. Eng,  
Chief Corporate Officer

## ATTACHMENTS

Appendix "A" – Terms and Conditions  
Appendix "B" – Site Map and PS Sketch