

**Sale of Vacant Land
Adjoining 260 Acton Avenue**

Date:	October 12, 2007
To:	North York Community Council
From:	Chief Corporate Officer
Wards:	Ward 10 – York Centre
Reference Number:	P:\2007\Internal Services\F&re\Ny07099F&re – (AFS 6083)

SUMMARY

The purpose of this report is to authorize the sale of a parcel of City-owned vacant land adjoining 260 Acton Avenue, more particularly described in the Recommendations below, and shown as Part 6 on Sketch No. PS-2006-028 attached as Appendix “B”.

Having completed negotiations with the adjoining land owner, Lily Stathis, we are recommending acceptance of the Offer to Purchase substantially on the terms and conditions outlined in the attached Appendix “A”.

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

RECOMMENDATIONS

The Chief Corporate Officer recommends that:

1. The Offer to Purchase from Lily Stathis to purchase the parcel of vacant land adjoining 260 Acton Avenue, more particularly described as being Part of PIN 10176-0394 (LT) being Part of Lot 18 Plan 1899 Twp of York, City of Toronto, shown as Part 6 on Sketch No. PS-2006-028 (“Part 6”), in the amount of \$64,900.00 be accepted substantially on the terms and conditions outlined in Appendix “A” to this report, and that 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.

2. Authority be granted to direct the net proceeds to the Land Acquisition Reserve Fund – Parks, Forestry and Recreation.
3. Authority be granted to direct a portion of the proceeds of closing to fund the outstanding expenses related to the property 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

We anticipate that revenue in the amount of \$64,900.00, (exclusive of GST), less closing costs and the usual adjustments will be generated by this sale.

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 14, 15 and 16, 2003 City Council adopted Clause 19 of Report No. 3 of the Administration Committee, thereby declaring Part 6 surplus to the City's requirements. Council further authorized the then Commissioner of Corporate Services to invite an offer to purchase Part 6 from the adjoining owner at 260 Acton Avenue as the owner expressed interest in acquiring the vacant lands.

At its meeting held on September 25, 26 and 27, 2006 City Council adopted Clause 28 of Report No. 6 of the Administration Committee, thereby declaring Part 6 and other City-owned lands in the vicinity, including Part 4 on Sketch No. PS-2006-028 ("Part 4"), surplus to the City's requirements. Council further authorized the Chief Corporate Officer to invite an offer to purchase Part 6 from the owner of 260 Acton Avenue, and if, in the opinion of staff, no recommendable offer is received, then to list Part 6 with Part 4 for sale on the open market.

City Council at its meeting held on July 18, 19 and 20, 2002, adopted, as amended, Clause 1 of Report No. 9 of the Policy and Finance Committee titled "Policy Governing Land Transactions Among City Agencies, Boards, Commissions and Departments and Proceeds from Sale of Surplus City-owned Real Property" thereby establishing a corporate policy governing land transactions among the City's ABCDs and allocating the net proceeds arising from the sale of City-owned real property. Pursuant to the Policy, where City property has been under the operational jurisdiction of an ABCD for a minimum of 10 years, the net proceeds shall be deposited in the City reserve fund allocated for the future capital requirements of the ABCD. Accordingly, the net proceeds from the future sale of Part 4 and Part 6 would be deposited to the Parks, Forestry and Recreation Land Acquisition Fund.

ISSUE BACKGROUND

In 1989 through the Municipal Tax Sale process, the former Township of North York acquired Part 6, a 7.2 metre wide strip to the east of 260 Acton Avenue. A 3.0 metre wide walkway shown as Part 5 on Sketch No. PS-2006-028, and designated as Parks and Open Space under the Official Plan, separates Part 6 from Part 4.

Negotiations with the owner of 260 Acton Avenue for Part 6 have been ongoing since 2003, however, agreement on the price was never reached. As such, Part 4 together with Part 6 was listed for sale on the open market in April 2007 pursuant to the 2006 Council authority. No recommendable offers were received and Part 4 and Part 6 was re-listed on the open market in July 2007 and, once again, no recommendable offers were received.

The walkway separating Parts 4 and 6 was identified as being a deterrent to offers being submitted by potential purchasers. Part 6 on its own is not a viable building lot and because of the location of the walkway does not add value to Part 4.

During the summer of 2007, negotiations resumed with the owner of 260 Acton Avenue and agreement was reached, subject to Council approval, in September 2007 regarding the purchase price of Part 6.

It should be noted that Part 4, which on its own is a viable building lot, will be listed for sale on the open market with a sale report anticipated for a subsequent Community Council meeting should a recommendable offer be received.

COMMENTS

A description of Part 6 and other essential terms and conditions of the Offer to Purchase from Lily Stathis are set out in Appendix "A" attached.

Further details of Part 6:

Approximate Acton Ave. frontage:	7.2 m (23.6 ft)
Approximate North/South Measurement:	35.0 m (114.8 ft)
Approximate Site Area:	252 m ² (2,712.6 ft ²)

The Offer to Purchase as submitted by Lily Stathis in the amount of \$64,900.00 is recommended for acceptance, substantially on the terms and conditions set out in the attached Appendix "A" of this report.

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 commissions and surveying. A recommendation is included in this report to direct a portion of the sale proceeds to fund the outstanding expenses related to Part 6.

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SIGNATURE

Bruce Bowes, P. Eng.,
Chief Corporate Officer

ATTACHMENTS

Appendix "A", Terms and Conditions of Offer to Purchase
Appendix "B", Site map and Sketch No. PS-2006-028