



## STAFF REPORT ACTION REQUIRED

### Sale of a Parcel of Land at the Northeast Corner of Long Branch Avenue and Muskoka Avenue

<b>Date:</b>	October 03, 2008
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Chief Corporate Officer
<b>Wards:</b>	Etobicoke Lakeshore – Ward 6
<b>Reference Number:</b>	P:\2008\Internal Services\F&re\Ey08090F&re – (AFS 8621)

#### SUMMARY

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The purpose of this report is to authorize the sale of a parcel of land at the northeast corner of Long Branch and Muskoka Avenues, to the adjoining owner at 41 Long Branch Avenue.

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 accept the Offer to Purchase from Nada Misetic and Stanko Misetic to purchase the City-owned parcel, being Parcel 7052, Section Township of Etobicoke; Those Parts of Arbour Reserve (also known as Muskoka Avenue) and Long Branch Avenue as shown on Plan M-9 which are enclosed by the production southerly of the westerly limit of Lot 13 in Block G of said Plan and the production of westerly of the southerly limit of said Lot 13; As stopped up and closed by By-law 1475; Etobicoke, City of Toronto, and shown as Part 2 on Sketch No. PS-2008-110 (the “Property”), in the amount of \$37,000.00, 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 Property and to the completion of the sale transaction.
4. The City Solicitor be authorized to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions, on such terms as she considers reasonable.

**Financial Impact**

The City anticipates revenue in the amount of \$37,000.00 (net of GST), less closing costs and the usual adjustments, from this sale.

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

**DECISION HISTORY**

In 1954, each of the corner roundings at the intersection of Long Branch Avenue and Muskoka Avenue were stopped up and closed by By-Law 1475, enacted by the Village of Long Branch. The By-Law, registered on December 20, 1954, authorized the conveyance of the corner roundings to abutting owners. Several of the abutting owners, including the then owners of 41 Long Branch Avenue, chose not to accept the offer and 5 of the original 13 corner roundings remained in City ownership.

By its adoption of Clause No. 90 of Report No. 6 of the Administration Committee on April 1, 1997, the Municipal Council of the Corporation of the City of Etobicoke declared the corner rounding on the southwest corner of Long Branch Avenue and Muskoka Avenue surplus and authorized it be sold to the adjoining property owner at 30 Long Branch Avenue.

In accordance with the City’s Real Estate Disposal By-law, No. 814-2007, the Property was declared surplus on September 29, 2008 (DAF No. 2008-139), with the intended manner of disposal to be by inviting an offer to purchase the Property from the owner of 41 Long Branch Avenue.

**ISSUE BACKGROUND**

The owner of 41 Long Branch Avenue has expressed interest in purchasing the Property. A circulation to the City ABCDs was undertaken to ascertain whether or not there is any municipal interest in retaining the Property, and no municipal interest was expressed.

**COMMENTS**

Details of the Property are as follows:

Approximate frontage on Long Branch Avenue	14.9 m (48.9 ft )
Approximate Area (irregular shape)	50.8 m <sup>2</sup> (546.8 ft <sup>2</sup> )

Negotiations with the adjoining land owners at 41 Long Branch Avenue, Nada and Stanko Misetic, resulted in the Offer to Purchase that is being recommended for acceptance by the City.

As of the writing of this report, not all of the 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, as notice of the proposed sale has not been given. However, by the date of consideration of Council, the required public notice will have been given.

A recommendation is included in this report to direct a portion of the sale proceeds to fund the outstanding expenses related to the Property and the completion of the sale transaction.

## **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 Sketch No. PS-2008-110