



**STAFF REPORT
ACTION REQUIRED**

Sale of a Portion of the Closed Lane and the One-Foot Reserve at the Rear of 456 Douglas Avenue

Date:	June 16, 2008
To:	North York Community Council
From:	Chief Corporate Officer
Wards:	Ward 16 – Eglinton-Lawrence
Reference Number:	P:\2008\Internal Services\F&re\Ny08057F&re - (AFS 7939)

SUMMARY

The purpose of this report is to obtain approval for the sale of a portion of the closed lane and the one-foot reserve at the rear of 456 Douglas Avenue. Negotiations with Alison Joye Pavlin, owner of 456 Douglas Avenue, 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

The Chief Corporate Officer recommends that:

1. The Offer to Purchase from Alison Joye Pavlin to purchase part of the Lane closed by Township of North York By-law 11138 south of Lots 994 to 997, inclusive, and part of the One-Foot Reserve south of Ledbury Street and south of the Lane south of Lots 994 to 997, inclusive, all on Plan 66M-109, designated as Parts 17 and 23 on Plan 66R-21999 (“the Property”), in the amount of \$11,000.00, be accepted 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 on behalf of the City.
3. Authority be granted to direct a portion of the sale proceeds received on closing to fund the outstanding expenses related to the Property.

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

Revenue in the amount of \$11,000.00, less closing costs and the usual adjustments, will be generated from the sale.

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

DECISION HISTORY

Pursuant to By-law 11138, enacted on April 9, 1956, the former Township of North York stopped up and closed a portion of a 13-foot lane at the rear of Lots 986 to 997 on Plan 66M-109, now shown as Parts 1 to 18 on the Reference Plan 66R-21999 (the “Reference Plan”), and authorized the conveyance of the entire closed lane to “those persons entitled by law to such conveyance”. A one-foot reserve shown as Parts 19 to 24 on the Reference Plan abutted the closed lane to the south.

In accordance with the former Municipal Act and By-law 11138, on September 17, 1957, the northerly half of the closed lane was conveyed to the six abutting owners to the north, and the southerly half of the lane and one foot reserve remained in City ownership.

By its adoption of Clause No. 14 of Report No. 18 of the Administration Committee on December 4, 5 and 6, 2001, City Council declared the southerly half of the closed lane and the adjacent portion of the one-foot reserve surplus and authorized portions to be offered for sale to the owners of six properties at 454 to 470 Douglas Avenue.

At its meeting on June 14, 15, and 16, 2005, City Council adopted the recommendations contained in Clause No. 44 of Report No. 5 of the North York Community Council thereby authorizing the acceptance of Offers to Purchase for portions of the closed lane and one foot reserve from the owners of 460, 462, 468 and 470 Douglas Avenue. By its adoption of Clause No. 14 of North York Community Council Report No. 6, City Council, at its meeting held on July 25, 26 and 27, 2006, authorized acceptance of the Offer to Purchase a portion of the closed lane and one foot reserve submitted by the owner of 454 Douglas Avenue.

ISSUE BACKGROUND

The City retained ownership of the Property as the former owner of 456 Douglas Avenue did not wish to purchase the Property. The current owner has expressed an interest in acquiring the Property and submitted an Offer to Purchase.

COMMENTS

Further details of the Property are:

Approximate North/South Measurement:	1.58 m (5.18 feet)
Approximate East/West Measurement:	12.80m (41.99 feet)
Approximate Area:	20.22 m ² (217.56 ft ²) - includes 1 foot reserve)

The Offer submitted by Alison Joye Pavlin in the amount of \$11,000.00 is considered fair, reasonable and reflective of market value and is recommended for acceptance substantially on the terms and conditions outlined in Appendix “A” to this report.

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. 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

Bruce Bowes, P. Eng.,
Chief Corporate Officer

ATTACHMENTS

Appendix “A” – Terms and Conditions
Appendix “B” – Site Map and PS Sketch