

Sale of Portion of Land Adjacent to 95 George Anderson Drive

Date:	October 14, 2009
To:	Etobicoke York Community Council
From:	Chief Corporate Officer
Wards:	Ward 12 – York South-Weston
Reference Number:	P:\2009\Internal Services\F&Re\Ey09093F&re – (AFS 10753)

SUMMARY

The purpose of this report is to obtain approval for the sale of a City-owned parcel of vacant land adjacent to 95 George Anderson Drive. Negotiations with the adjacent owner at 95 George Anderson Drive have resulted in an 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 City accept the Offer to Purchase from Kenneth McCallum Mitchell to purchase a portion of City-owned parcel of vacant land adjacent to 95 George Anderson Drive, shown as Parts 3, 4 and 5 on Sketch No. PS-2007-185a (the "Sketch") as shown in Appendix "B" to this report, being Part of Block F, Plan 4398, North York, Toronto (North York), City of Toronto, subject to the retention of an easement over Part 3 on the Sketch for storm sewer purposes and the retention of an easement over Part 4 of the Sketch for catch basin purposes (collectively, the "Property"), in the amount of \$65,000.00, 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 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

Revenue in the amount of \$65,000.00 (net of GST), less closing costs and the usual adjustments, is anticipated.

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

DECISION HISTORY

In accordance with the City's Real Estate Disposal By-law, No. 814-2007, the parcel of land between 95 and 99 George Anderson Drive, shown as Parts 1-5 on the Sketch, including the Property, was declared surplus to the City's requirements on February 5, 2009 (DAF No. 2009-014), with the intended manner of disposal to be by way of inviting an offer to purchase Parts 3, 4 and 5 on the Sketch from the owner of 95 George Anderson Drive.

ISSUE BACKGROUND

In 1953, an easement over the entire parcel was granted to the former Corporation of the Township of North York for the purposes of keeping and maintaining sanitary and storm sewers. In 1957, the entire parcel was conveyed to the former Corporation of the Township of North York for municipal purposes. Another report has been submitted for the acceptance of an offer to purchase the remainder of the site to the other adjacent property owner.

COMMENTS

Further details of the Property are:

1. Approximate North/South measurement:	49.3m± (161.75ft±)
2. Approximate East/West Measurement:	6.1m± (20.01ft±)
3. Approximate Area:	302.2m²± (3252.85ft²±)

Negotiations with Kenneth McCallum Mitchell, the adjacent owner at 95 George Anderson Drive, resulted in the offer to purchase that is being recommended for acceptance 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. A recommendation is included in this report to direct a portion of the sale proceeds to fund the outstanding expenses related to the Property.

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SIGNATURE

Bruce Bowes, P. Eng.
Chief Corporate Officer

ATTACHMENTS

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