



STAFF REPORT ACTION REQUIRED

Declaration as Surplus – Untravelled Public Highways on Plan of Subdivision M-1859, Mockingbird Crescent, Jacobs Gate and the One Foot Reserve North of Mockingbird Crescent

Date:	June 13, 2011
To:	Government Management Committee
From:	Chief Corporate Officer
Wards:	Ward 10 – York Centre
Reference Number:	P:\2011\Internal Services\RE\Gm11024re – (AFS 13982)

SUMMARY

The purpose of this report is to declare surplus portions of the untravelled public highways on Plan of Subdivision M-1859, known as Mockingbird Crescent and Jacobs Gate and the one foot reserve north of Mockingbird Crescent, conditional upon City Council approving an application to the Court to permanently close these untravelled public highways, and to authorize negotiations with the adjoining property owner, Sanofi Pasteur Limited, for the submission of an application to the Court to cancel part of Plan M-1859, permanently close the untravelled public highways located thereon and vest title to portions of the closed highways and the one foot reserve in Sanofi Pasteur Limited.

Authority to declare property surplus has been delegated to the Chief Corporate Officer, unless the local Councillor requires the matter to be determined by City Council, which is the case in this instance.

RECOMMENDATIONS

The Chief Corporate Officer recommends that:

1. City Council declare surplus portions of the untravelled public highways Mockingbird Crescent and Jacobs Gate on Plan M-1859, City of Toronto shown as Parts 2 and 3 on Sketch No. PS-2010-070, attached as Appendix "A" (collectively the "Highways") and the one foot reserve north of Mockingbird

Crescent, being Block Y on Plan M-1859, City of Toronto, shown as Part 1 on Sketch No. PS-2010-070 (the “Reserve”), conditional upon City Council approving an application to the Court pursuant to the *Land Titles Act*, to permanently close the Highways and authority be granted for staff to negotiate the terms of an agreement with Sanofi Pasteur Limited (“Sanofi”), for recommendation to City Council, pursuant to which the City would agree to apply to the Court to cancel the portion of the Plan M-1859 west of Hidden Trail, permanently close the Highways and vest title to the Highways and the Reserve in Sanofi.

2. City Council authorize 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 to be taken.

Financial Impact

There are no financial implications as a result of this surplus declaration. The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

ISSUE BACKGROUND

In 1978, the former City of North York approved the rezoning for residential use and subdivision of certain lands south of Fisherville Road and west of G. Ross Lord Park, including the southerly portion of 1755 Steeles Avenue West and adjoining lands to the east owned by Sanofi (which was named Connaught Laboratories Ltd. at that time).

In 1979, Plan M-1858 and Plan M-1859 were registered and all of the related highways, one foot reserves, parkland and easements were dedicated and/or conveyed to the City. Phase 1 of the subdivision (Plan M-1858 and the east portion of Plan M-1859), east of Hidden Trail, was constructed as proposed. However, Phase 2 of the subdivision (west portion of Plan M-1859), west of Hidden Trail was never constructed.

Sanofi has requested an Official Plan Amendment and Zoning By-law Amendment from residential to light industrial (*Employment Areas*) to enable it to expand its vaccine manufacturing facility at 1755 Steeles Avenue West. As part of this request, Sanofi has requested that the City agree to apply to the Court to cancel part of Plan M-1859 west of Hidden Trail, permanently close the Highways located thereon and vest title to the Highways and the Reserve in Sanofi, on terms and conditions to be agreed upon by the parties.

COMMENTS

Transportation Services has reviewed the request from Sanofi and has determined that the Highways and the Reserve are surplus to its requirements and the Highways can be permanently closed as part of the cancellation of the unbuilt portion of Plan M-1859.

If the Highways and the Reserve are declared surplus, Real Estate Services intends to negotiate the terms of an agreement, for recommendation to City Council, pursuant to which the City would agree to apply to the Court to cancel the portion of Plan M-1859 west of Hidden Trail, permanently close the Highways and vest title to the Highways and the Reserve in Sanofi.

Before proceeding with the proposed sale, the City must comply with the procedures governing disposal of property. Chapter 213 of the City of Toronto Municipal Code “Sale of Real Property” requires that, Council must declare the property to be surplus, give notice to the public of the proposed sale and obtain at least one appraisal of the market value of the property, unless exempted by regulations passed under the legislation.

Authority to declare property surplus has been delegated to the Chief Corporate Officer, unless the local Councillor requires the matter to be determined by Council, which is the case in this instance.

CONTACT

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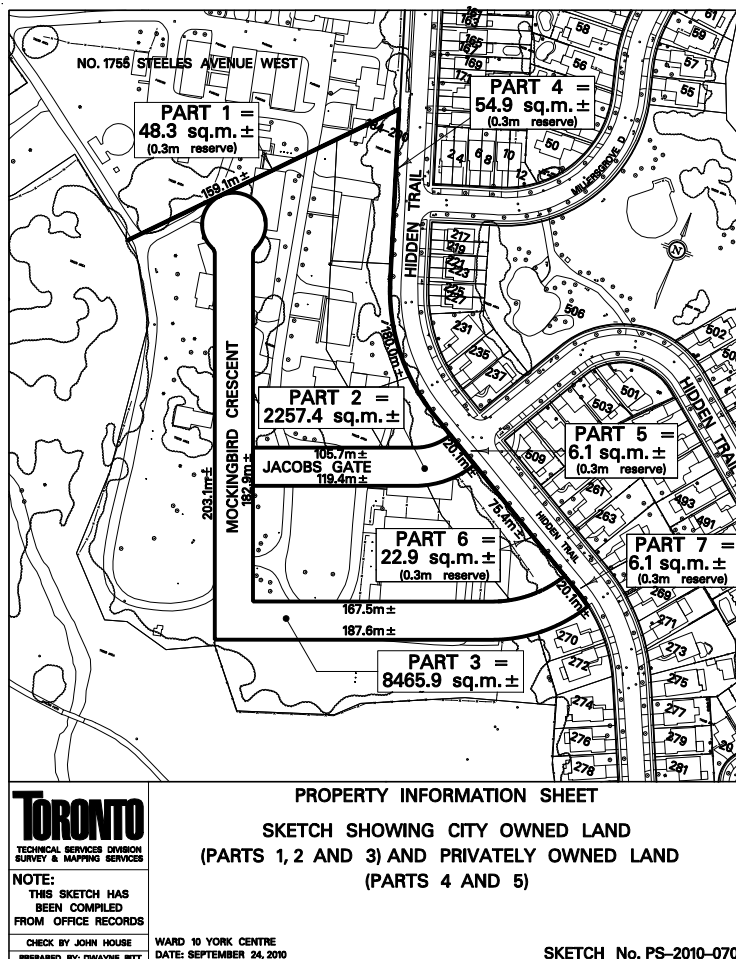
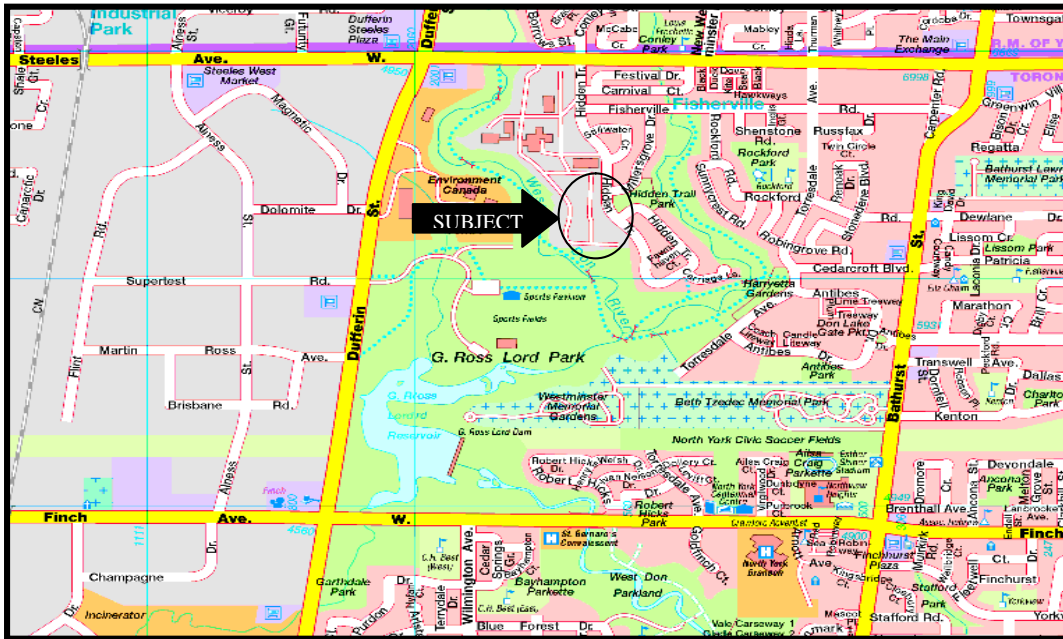
SIGNATURE

Bruce Bowes, P. Eng,
Chief Corporate Officer

ATTACHMENTS

Appendix “A” – Site Map & Sketch No. PS-2010-070

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