



## STAFF REPORT ACTION REQUIRED

### Sale of Vacant Land at the Rear of 79 Niagara Street

<b>Date:</b>	December 16, 2008
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Chief Corporate Officer
<b>Wards:</b>	Ward 19 – Trinity-Spadina
<b>Reference Number:</b>	P:\2009\Internal Services\F&re\Te09002F&re – (AFS 9125)

#### SUMMARY

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The purpose of this report is to obtain approval for the sale of the City-owned parcel of vacant land known as part of 28 Bathurst Street and located at the rear of 79 Niagara Street.

Negotiations with Antonio Zerrudo Villanueva and Marion Teresa Villanueva have 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

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**The Chief Corporate Officer recommends that:**

1. The City accept the Offer to Purchase from Antonio Zerrudo Villanueva and Marion Teresa Villanueva to purchase the City-owned parcel of vacant land, located at the rear of 79 Niagara Street, and being part of Block A, Plan 655, City West, designated as Part 15 on Plan 64R-15954, City of Toronto (the “Property”), in the amount of \$9,784.71, 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 \$9,784.71 (net of GST), less closing costs and the usual adjustments is anticipated.

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

### **DECISION HISTORY**

The former City of Toronto Council, at its meeting held on November 18, 1996, adopted Clause No. 17 of Executive Committee Report No. 32 thereby authorizing the initiation of a process to open, under the Local Improvement Act, a public laneway to access the rear of Nos. 51-87 Niagara Street.

City Council, at its meeting held on July 29, 30 & 31, 1998, adopted Clause No. 15 of Corporate Services Committee Report No. 11 thereby declaring the parcels of land at the rear of Nos. 51-87 Niagara Street surplus to municipal requirements and authorizing the then Commissioner of Corporate Services to secure Agreements of Purchase and Sale from the seventeen abutting property owners.

### **ISSUE BACKGROUND**

The City is the owner of a property known municipally as 28 Bathurst Street. The northerly boundary of the site abuts the rear lot lines of numerous properties known municipally as Nos. 51-87 Niagara Street. In 2000, offers were invited from the abutting owners at 51-87 Niagara Street to purchase parcels of land abutting their property for parking purposes.

Ten abutting property owners submitted offers, which the City accepted, and these transactions were completed in December 2000. The then owners of 79 Niagara Street were one of the 7 property owners who declined to purchase the parcel at the rear of their property. Three additional parcels were sold by the City in 2002, 2003 and 2007, respectively.

The current owners of 79 Niagara Street recently approached the City requesting to purchase the Property.

## COMMENTS

Further details of the Property are:

<b>Approximate North/South Measurement</b>	6.13m (20.11 ft)
<b>Approximate Northerly East/West Measurement</b>	4.99m (16.37 ft)
<b>Approximate Southerly East/West Measurement</b>	4.92m (16.14 ft)
<b>Approximate Area</b>	30.30m <sup>2</sup> (326.2 ft <sup>2</sup> )

Negotiation with Antonio Zerrudo Villanueva and Marion Teresa Villanueva, the abutting owners at 79 Niagara Street, 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 this property.

## 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 Registered Plan