Declaration as Surplus – Portion of 4334 Lawrence Avenue East, 4340 Lawrence Avenue East and Adjoining Lands

Date: March 9, 2011
To: Government Management Committee
From: Chief Corporate Officer
Wards: Ward 44 – Scarborough East
Reference Number: P:\2011\Internal Services\RE\Gm11007re – (AFS 13300)

SUMMARY
On August 17, 2010, Scarborough Community Council, in its consideration of SC37.28, directed the Chief Corporate Officer (CCO), in consultation with the local councillor, to investigate the possibility of declaring surplus the subject City-owned lands, consider the intended manner of disposition and report to Government Management Committee. This report is intended to fulfill this direction, and seeks authority to declare surplus the property comprised of a portion of 4334 Lawrence Avenue East, 4340 Lawrence Avenue East and adjoining lands south of Green Ash Terrace, with the intended method of disposal to be a transfer to Build Toronto (Build Toronto).

RECOMMENDATIONS
The Chief Corporate Officer recommends that:

1. City Council declare surplus a portion of 4334 Lawrence Avenue East, 4340 Lawrence Avenue East and adjoining lands south of Green Ash Terrace, shown as Parts 1, 3, 4, 6 and 8 on Sketch No. PS-2007-276 (the Sketch) attached as Appendix “B” (the Property), subject to the retention of those areas and interests required to satisfy operational requirements, required by law or otherwise required to be protected (Required Interests), with the intended method of disposal to be a transfer to Build Toronto on an “as is” basis, for nominal consideration (with Build Toronto to pay any applicable Land Transfer Tax, HST, registration and other costs).
2. City Council authorize that 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 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.

DECISION HISTORY
On October 29 and 30, 2008, City Council adopted Item EX24.1, entitled “New Model to Enhance Toronto's Economic Competitiveness”, established Build Toronto as the development arm of the City and directed the CCO to audit corporate real estate assets to identify properties (such as the Property) with potential for private redevelopment for transfer or turnover to Build Toronto.

New Model to Enhance Toronto's Economic Competitiveness
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15926.pdf)

On August 17, 2010, Scarborough Community Council considered Item SC37.28 “4338 Lawrence Ave E and City-owned Lands – Rezoning Application - Preliminary Report” and directed that prior to community consultation in respect of the proposed rezoning, “the CCO, in consultation with the local Councillor, investigate the possibility of declaring the City-owned lands surplus and the intended manner or process by which the sale of the lands, if declared surplus, should be carried out and to report to the Government Management Committee on the proposed parameters of any sale. ”

Staff report and Attachments 1-4 – 4338 Lawrence Avenue East

COMMENTS
The former Municipality of Metropolitan Toronto acquired the Property for the purpose of constructing the Scarborough Transportation Corridor (STC) project. Plans for the STC project were abandoned in the 1970s.

In August 2010, Inaugural Source Inc. (“Inaugural”), the owner of 4338 Lawrence Avenue East (shown as Parts 9 and 10 on the Sketch), filed an application for rezoning in respect of 4338 Lawrence Avenue East and the Property, for purposes of the development of 25 single family lots. In order to complete its proposed development, Inaugural would need to acquire the Property or enter into a joint venture or other arrangement with the owner of the Property.

Build Toronto has expressed an interest in the Property. In order to maximize the return to the City, Build Toronto would be the appropriate entity to advance the development of the Property, whether by means of a joint venture or some other arrangement.
Through the Planning circulation of Inaugural’s rezoning application and the Property Management Committee circulation process, it has been determined to date that the following Required Interests in the Property must be retained:

- Parts 2 and 5 on the Sketch for the planned extension of Asterfield Drive to Lawrence Avenue East, as provided for in the Official Plan;
- Part 7 on the Sketch for the widening of Lawrence Avenue East;
- a temporary easement for the shaft and staging area for the construction of a watermain in Parts 1, 4, and 5 on the Sketch;
- a permanent easement for a valve chamber in Parts 1, 4, and 5 on the Sketch for this watermain should it not become part of future road allowance of the Asterfield Drive extension.

The Property Management Committee recommended that the Property be declared surplus, with the intended method of disposal to be a transfer to Build Toronto. Further details of the Property are:

<table>
<thead>
<tr>
<th>Location</th>
<th>4340 Lawrence Ave E</th>
<th>4334 Lawrence Ave E</th>
<th>Lands south of Green Ash Terrace</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Use</td>
<td>Residence</td>
<td>Vacant land</td>
<td>Vacant land</td>
</tr>
<tr>
<td>Legal Description</td>
<td>Part Lot 6, Plan 1502; Part 6 on the Sketch</td>
<td>Part Lot 6 on Plan 1502; Part 4 on the Sketch</td>
<td>Part Lots 5 &amp; 6 on Plan 1502 and Block 18 on 66M-2236, shown as Parts 1, 3 and 8 on the Sketch</td>
</tr>
<tr>
<td>Approx. Area</td>
<td>1,839 m² (19,795 ft²)</td>
<td>1,830 m² (19,698 ft²)</td>
<td>Part 1: 2,076 m² (22,346 ft²) Part 3: 1,106 m² (11,905 ft²) Part 8: 43 m² (463 ft²)</td>
</tr>
</tbody>
</table>

Before proceeding with the proposed transfer to Build Toronto, the City must comply with the procedures governing disposal of property set out in Chapter 213 of the City of Toronto Municipal Code, “Sale of Real Property”.

**CONTACT**

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**SIGNATURE**

_________________________________________________________
Bruce Bowes, P. Eng,
Chief Corporate Officer

**ATTACHMENTS**

Appendix “A” – Site Map
Appendix "B" - Sketch No. PS-2007-276

Declaration as Surplus – 4334 and 4340 Lawrence Avenue East and Adjoining Lands