

City Council

Notice of Motion

MM7.1	ACTION			Ward: 9
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Redirecting the Proceeds of the Sale of a Residual Portion of City-owned land at 276 Lauder Avenue - by Councillor Alejandra Bravo, seconded by Councillor Ausma Malik

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Executive Committee. A two-thirds vote is required to waive referral.*

** This Motion was submitted to the May 10, 11 and 12, 2023 meeting of City Council as Item MM6.30 and was not introduced.*

Recommendations

Councillor Alejandra Bravo, seconded by Councillor Ausma Malik, recommends that:

1. City Council, waive the Policy Governing Land Transactions Among City Agencies, Boards, Commissions and Departments and Proceeds from Sale of Surplus City-Owned Real Property as amended by Item 2021.EX27.4 that requires that the net proceeds be directed to the Land Acquisition Reserve Fund (XR1205), and allocate the net proceeds of the sale of 276 Lauder Avenue to the South District Parkland Acquisition reserve fund (Account XR2208).

Summary

In 1984, the owner of 276 Lauder Avenue (the "Property"), believing that they had the full ownership of a municipally-owned parcel of land to the rear of the Property (the "Municipal Lands"), proceeded to build a double car garage on the Municipal Lands with the knowledge and approval of the then Borough of York. Borough Officials did not notify the owner that the Municipal Lands were acquired by The Corporation of the Borough of York through a municipal tax sale in 1974. The garage has been in place for the last 38 years and was not identified as having been erected on City-owned lands until the owner listed 276 Lauder Avenue for sale on the open market and learned that the Municipal Lands were not a part of the Property.

In accordance with the City's Real Estate Disposal By-law 814-2007, the Municipal Lands were declared surplus on October 5, 2022 by DAF 2022-221 with the intended manner of disposal, to invite an offer to purchase from the owner of the Property.

Terms of the agreement have been finalized. The major terms and conditions of the transaction are considered to be fair, reasonable, and reflective of market value. The sale of the Municipal Lands to the owner of 276 Lauder Avenue was subsequently authorized on April 26, 2023 by DAF 2023-119.

While the Director, Transaction Services has approved the sale of the Municipal Lands through delegated authority, I am requesting City Council direct the proceeds of the sale to the South District Parkland Acquisition reserve fund. This area of Toronto is experiencing unprecedented growth and parkland acquisition must be a priority that is supported as the provision of parks is critical to the liveability of these communities.

The Motion is urgent as the transaction in question has already been approved.

Background Information (City Council)

Member Motion MM7.1