

Approved pursuant to the Delegated Authority contained in Government Management Committee Item GM6.18 entitled "Policy with Respect to the Sale/Disposition of Land" adopted as amended by City Council on July 16, 17, 18 and 19, 2007. By-law No. 814-2007, enacted on July 19, 2007.

Prepared By:	Trixy Pugh	Division:	Real Estate Services
Date Prepared:	September 8, 2015	Phone No.:	(416) 392-8160

**Purpose:** To declare surplus the City-owned property located at 5100 Yonge Street with the intended manner of disposal to be by way of extension of an existing lease (for which separate authority will be sought). The extended lease will, due to the terms of the previous leases, have a cumulative lease term that exceeds twenty-one (21) years.

**Property:** Part of 5100 Yonge Street, legally described as part of PIN 10144 – 0107 (LT), being Part of Lot 17, Concession 1 WYS, designated as Parts 3, 87, 390 on Plan 66R-17224, Part 122 on Plan 66R-17225 and Parts 9 to 13 inclusive on Plan 66R-16711 saving and excepting Parts 12 to 17 on Plan 66R-16904, which is shown attached as Appendix "A" (the "Leased Lands").

- Actions:**
1. The Leased Lands be declared surplus for the purpose of and with the intended manner of disposal to be by way of entering into lease agreement(s), the collective length of which (including extensions, renewals, options, assignments etc.) would exceed twenty-one (21) years.
  2. Notice be published in a newspaper in circulation of the area of the Leased Lands and posted on the City's website.
  3. 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 resulting from this approval. The Deputy City Manager & Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.

**Background:** The Leased Lands were not acquired through expropriation proceedings.

The current tenant, a credit union, has occupied the 41m<sup>2</sup> of space on the ground floor of the North York Civic Centre since 1989 and has been in overhold since 1998.

The Leased Lands are required to be declared surplus for the purpose of renewing the lease, since any further extension of the term will result in a cumulative lease term exceeding twenty-one (21) years.

**Comments:** A circulation to the City's internal and external stakeholders was undertaken to ascertain whether or not there is any municipal interest in retaining the Leased Lands. No municipal interest was expressed. Staff of the Affordable Housing Office has determined that there is no interest in the Leased Lands for affordable housing. Accordingly, it is appropriate that the Leased Lands be declared surplus. The Property Management Committee has reviewed this matter and concurs.

**Property Details:**

<b>Ward:</b>	23 - Willowdale
<b>Assessment Roll No.:</b>	
<b>Approximate Size:</b>	
<b>Approximate Area:</b>	41 m <sup>2</sup> (440.7 ft <sup>2</sup> )
<b>Other Information:</b>	

Yes  No Lands are located within the Green Space System or the Parks & Open Space Areas of the Official Plan.

**Pre-Conditions to Approval:**

- (1) **Highways** - The GM of Transportation Services has concurred in the Highway being declared surplus conditional upon City Council approving the permanent closure of the Highway.
- (2) **Lands located within the Green Space System and the Parks & Open Space Areas of the Official Plan** - The Chief Planner & Executive Director and the GM of Parks, Forestry & Recreation have confirmed that the land being exchanged is (i) nearby land of equivalent or larger area, and (ii) of comparable or superior green space utility.

**Chief Corporate Officer has approval authority for:**

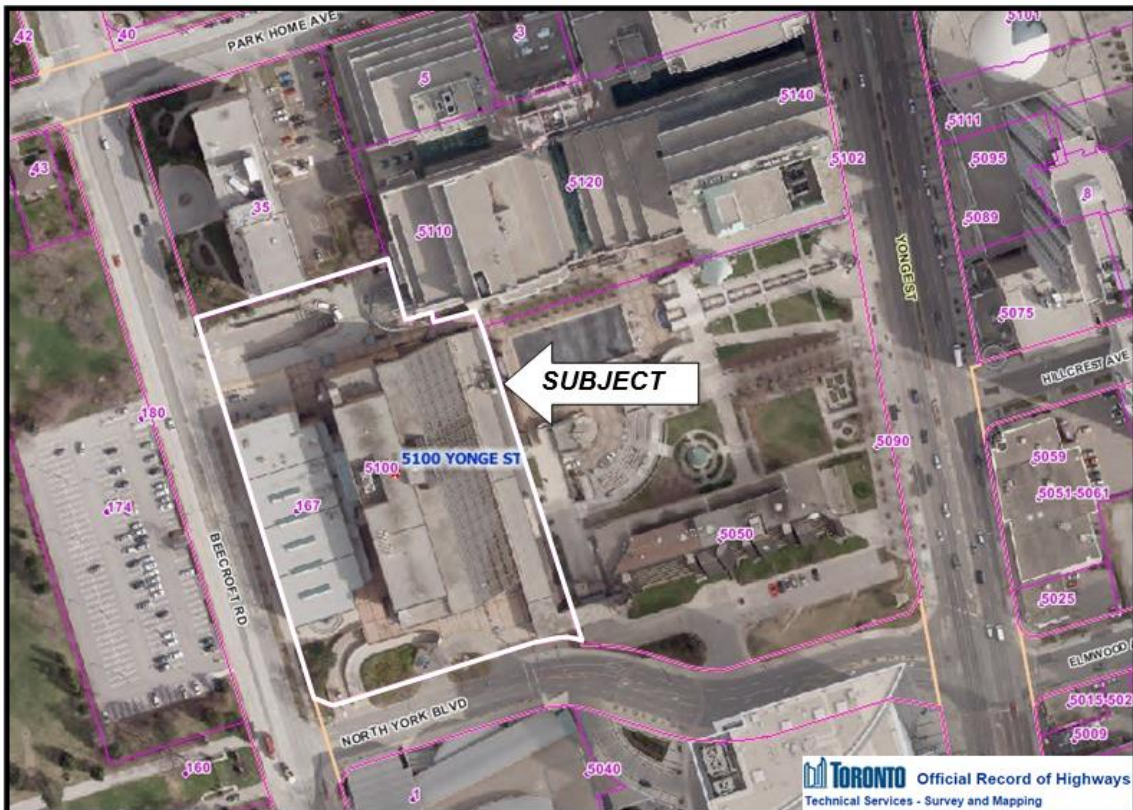
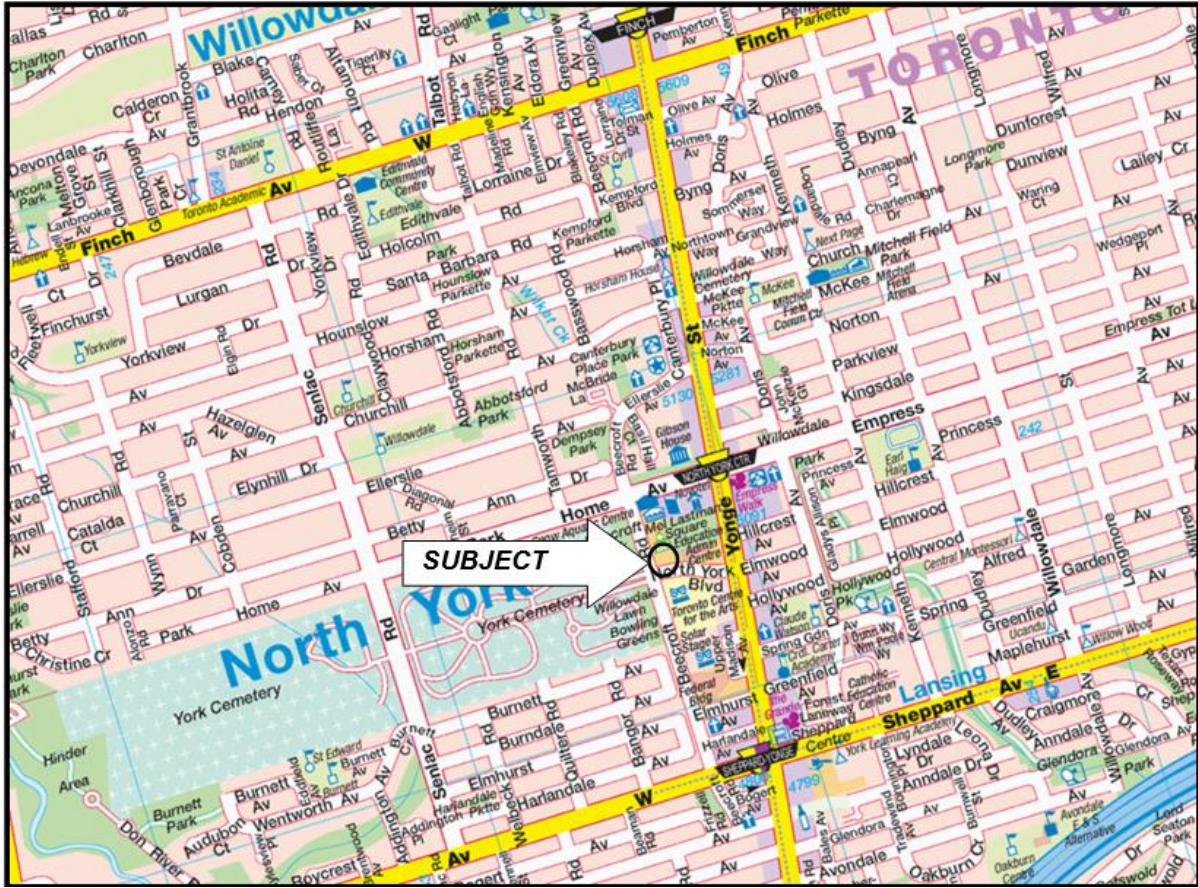
- A (1) declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
  - Councillor does not require the declaration of surplus or the intended manner or process by which the sale of the land will be carried out to be determined by Council.
- (2) determining the method of giving notice to the public, following consultation with the local Councillor (§ 213-7)
  - Councillor has been consulted regarding method of giving notice to the public.
- (3) exempting sales to the following public bodies from the requirement for an appraisal, provided that the local Councillor (or if the land abuts other wards, the local Councillors) does not require the determination to be made by Council (§ 213-4):
  - (a) a municipality
  - (b) a local board, including a school board and a conservation authority
  - (c) the Crown in right of Ontario or Canada and their agencies
  - n/a Councillor(s) agrees with exemption from appraisal. **[Revise box to an x if any of (3)(a)-(c) applies.]**
- (4) exempting the sale of land in the following classes from the requirement for an appraisal and/or for notice to the public, provided that the local Councillor(s) (if the land abuts other wards) does not require the determination to be made by Council (§ 213-5):
  - (a) land 0.3 metres or less in width acquired in connection with an approval or decision under the *Planning Act*
  - (b) closed highways if sold to an owner of land abutting the closed highways
  - (c) land formerly used for railway lines if sold to an owner of land abutting the former railway land
  - (d) land does not have direct access to a highway if sold to the owner of land abutting that land
  - (e) land repurchased by an owner in accordance with section 42 of the *Expropriations Act*
  - (f) easements
  - n/a Councillor(s) agrees with exemption from appraisal. **[Revise box to an x if any of (4)(a)-(f) applies.]**
  - n/a Councillor(s) agrees with exemption from notice to the public. **[Revise box to an x if any of (4)(a)-(f) applies.]**
- (5) revising the intended manner of sale
- (6) rescinding the declaration of surplus authority

Title	Date	Recommended/ Approved
Manager	Sept. 11, 2015	Tasse Karakolis
Director	Sept. 25, 2015	Joe Casali
Chief Corporate Officer	Sept. 28, 2015	Josie Scioli
<b>Return to:</b> <b>Trixy Pugh</b> <b>Real Estate Services</b> <b>Metro Hall, 55 John Street, 2<sup>nd</sup> Fl</b> <b>(416) 392-8160</b>		
<b>DAF Tracking No.: 2015-188</b>		

Consultation with Councillor(s):									
Councillor:	John Filion								
Contact Name:	Catherine LeBlanc-Miller (June 19, 2015)								
Contacted by	<table border="1"> <tr> <td>Phone</td> <td><input checked="" type="checkbox"/></td> <td>E-mail</td> <td><input type="checkbox"/></td> <td>Memo</td> <td><input type="checkbox"/></td> <td>Other</td> <td><input type="checkbox"/></td> </tr> </table>	Phone	<input checked="" type="checkbox"/>	E-mail	<input type="checkbox"/>	Memo	<input type="checkbox"/>	Other	<input type="checkbox"/>
Phone	<input checked="" type="checkbox"/>	E-mail	<input type="checkbox"/>	Memo	<input type="checkbox"/>	Other	<input type="checkbox"/>		
Comments:	<ul style="list-style-type: none"> <li>• Concurs with recommendation</li> <li>• Does not require the matter to be determined by Council</li> <li>• Does not require further consultation re: public notice</li> </ul>								
Councillor:									
Contact Name:									
Contacted by	<table border="1"> <tr> <td>Phone</td> <td><input type="checkbox"/></td> <td>E-mail</td> <td><input type="checkbox"/></td> <td>Memo</td> <td><input type="checkbox"/></td> <td>Other</td> <td><input type="checkbox"/></td> </tr> </table>	Phone	<input type="checkbox"/>	E-mail	<input type="checkbox"/>	Memo	<input type="checkbox"/>	Other	<input type="checkbox"/>
Phone	<input type="checkbox"/>	E-mail	<input type="checkbox"/>	Memo	<input type="checkbox"/>	Other	<input type="checkbox"/>		
Comments:									

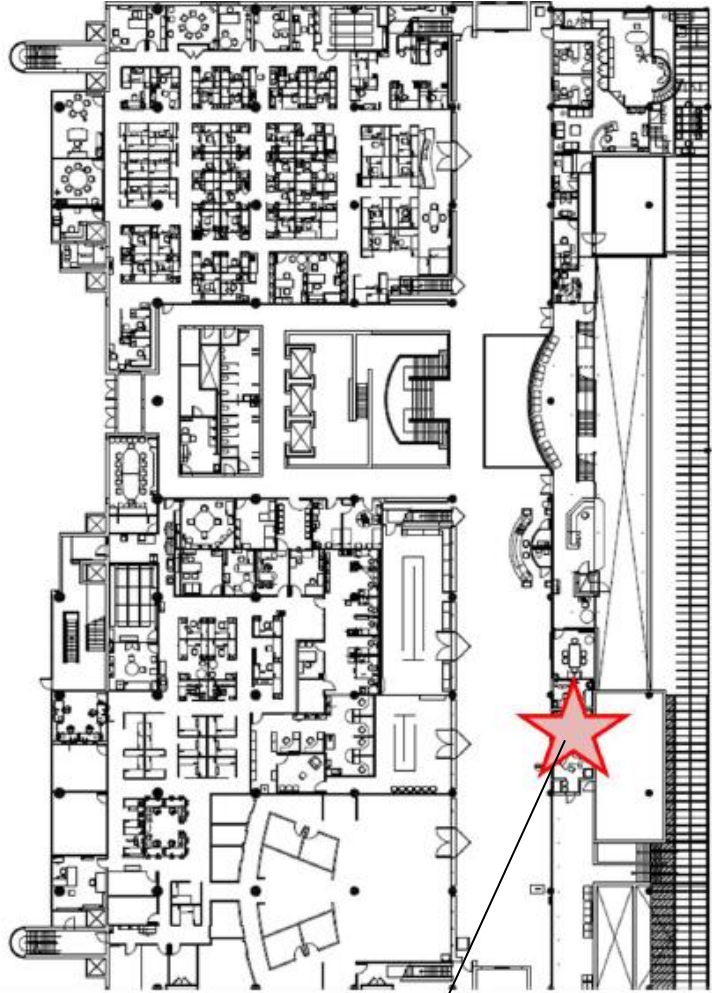
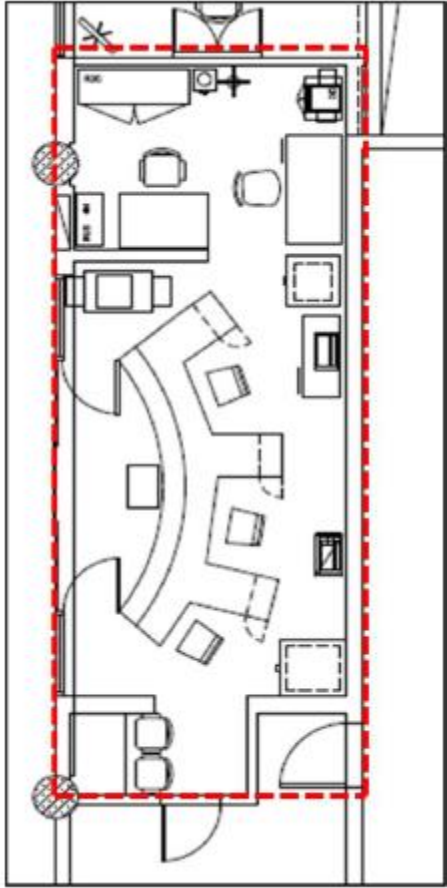
Consultation with other Division(s):			
Division:	RES	Division:	Financial Planning
Contact Name:	Adam Pressick	Contact Name:	Filisha Mohammed
Comments:	Tenant in good standing (July 29, 2015)	Comments:	Incorporated into DAF
Real Estate Law Contact:	Charlotte Harbell (July 24, 2015)	Date:	July 29, 2015

APPENDIX "A": LOCATION MAP & SKETCH





Credit Union Space Within 5100 Yonge Street, Ground Level



Leased  
Lands

