



DELEGATED APPROVAL FORM DECLARE SURPLUS

TRACKING NO.: 2015-053

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:	August 12, 2015	Phone No.:	(416) 392-8160										
Purpose:	To declare surplus a portion of the road allowance adjacent to 55 Kensington Avenue, with the intended manner of disposition to be by way of entering into lease agreement(s), the collective length of which would exceed 21 years.												
Property:	The portion of road allowance adjacent to 55 Kensington Avenue, shown as Part 1 on Plan 63R-2511, set out at Appendix "A" (the "Leased Lands").												
Actions:	<ol style="list-style-type: none"> 1. The Leased Lands be declared surplus with the intended manner of disposition by way of entering into lease agreement(s), the collective length of which (including extensions, renewals, options, assignments etc.) would exceed 21 years. 2. Notice be published in a newspaper in circulation of the area of the Leased Lands. 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:	<p>There are no financial implications resulting from this approval.</p> <p>The Deputy City Manager & Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.</p>												
Background:	<p>The Leased Lands form part of the St. Andrew Street road allowance. Numerous tenants have leased a portion of the sidewalk for storefront purposes since 1982.</p> <p>The current tenant has requested for continued use of the Lease Lands. The Leased Lands are required to be declared surplus as renewing the lease will result in a cumulative lease term greater than 21 years.</p>												
Comments:	<p>The Leased Lands are under the operational management of Transportation Services. Transportation Services advised that the Leased Lands are not surplus to its operational requirements and therefore not available for sale. However, Transportation Services has no objections to the lease extension provided that any renewal agreement includes a termination clause exercisable at the City's sole option without penalty.</p> <p>Accordingly, it is appropriate that the Lease Lands be declared surplus. The Property Management Committee has reviewed this matter and concurs.</p>												
Property Details:	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Ward:</td> <td>20 – Trinity-Spadina</td> </tr> <tr> <td>Assessment Roll No.:</td> <td></td> </tr> <tr> <td>Approximate Size:</td> <td>6.57m± (21.5ft±) x 4.89m± (16ft±)</td> </tr> <tr> <td>Approximate Area:</td> <td>32 ± (344.45 ft² ±)</td> </tr> <tr> <td>Other Information:</td> <td></td> </tr> </table> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Lands are located within the Green Space System or the Parks & Open Space Areas of the Official Plan.</p>			Ward:	20 – Trinity-Spadina	Assessment Roll No.:		Approximate Size:	6.57m± (21.5ft±) x 4.89m± (16ft±)	Approximate Area:	32 ± (344.45 ft ² ±)	Other Information:	
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Other Information:													

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:

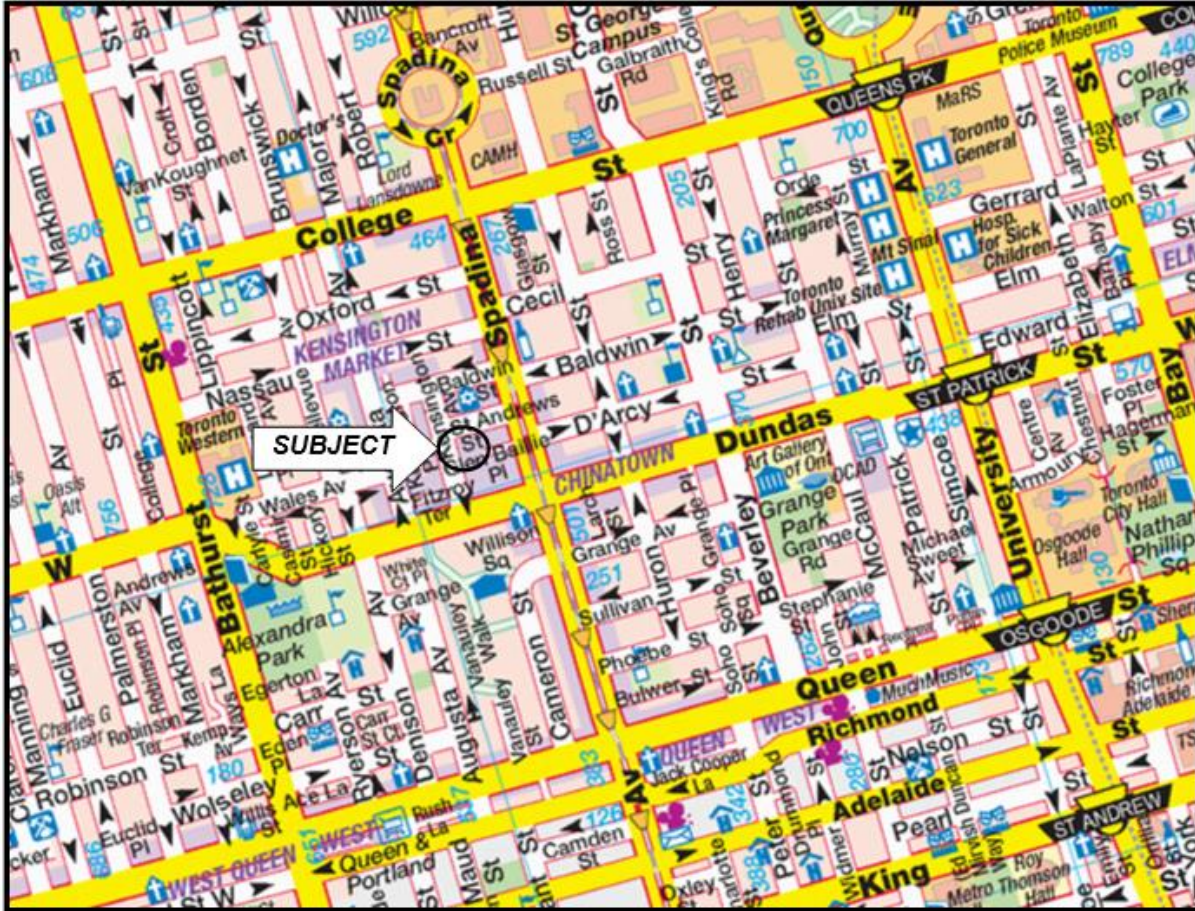
- A (1) declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
 - Councillor does not require 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	Aug. 21, 2015	Tasse Karakolis
Director	Sept. 2, 2015	Joe Casali
Chief Corporate Officer	Sept. 8, 2015	Josie Scioli
Return to: Trixy Pugh Real Estate Services Metro Hall, 55 John Street, 2nd Fl (416) 392-8160		
DAF Tracking No.: 2015-053		

Consultation with Councillor(s):	
Councillor:	Joe Cressy
Contact Name:	Lia Brewer (March 9, 2015)
Contacted by	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"> • Concurs with recommendation • Does not require the matter to be determined by Council • Does not require further consultation re: public notice
Councillor:	
Contact Name:	
Contacted by	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:	Kendra FitzRandolph	Contact Name:	Filisha Mohammed
Comments:	Tenant in good standing (August 5, 2015)	Comments:	Incorporated into DAF
Real Estate Law Contact:	Helia De Melo (March 4, 2015)	Date:	June 15, 2015

Appendix 'A': Location Map and Sketch



PLAN MATERIALS

PLASTIC MATERIAL	W/100
SCALE	1:500
NO.	1
PROCESS	PHOTODUPLICATION

CO-ORDINATE VALUES

NO.	WESTING	NORTHING	WESTING	NORTHING
1	427 71	488 216 24	427 71	488 216 24
2	427 71	488 216 24	427 71	488 216 24
3	427 71	488 216 24	427 71	488 216 24
4	427 71	488 216 24	427 71	488 216 24
5	427 71	488 216 24	427 71	488 216 24
6	427 71	488 216 24	427 71	488 216 24
7	427 71	488 216 24	427 71	488 216 24
8	427 71	488 216 24	427 71	488 216 24
9	427 71	488 216 24	427 71	488 216 24
10	427 71	488 216 24	427 71	488 216 24

SCHEDULE

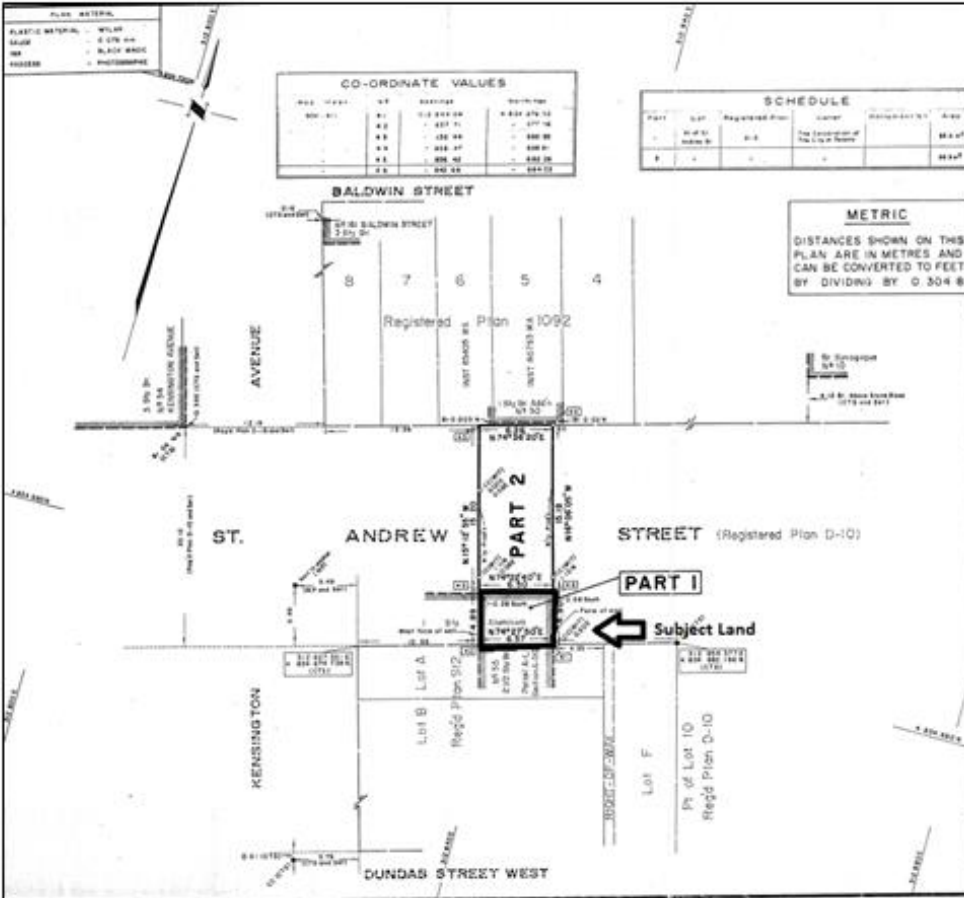
Part	Lot	Registered Plan	Owner	Registered Plan No.	Area
1	Part of Lot 10	10-10	The Corporation of The City of Toronto	10-10	10.00
2	Part of Lot 10	10-10	The Corporation of The City of Toronto	10-10	10.00

REGISTERED UNDER THE REGISTRY ACT
 PLAN 63R-2577
 RECEIVED AND DEPOSITED
 DATE: JANUARY 2, 1982
 DATE: JANUARY 6, 1982
A. M. Smith
 AND RECEIVED FOR THE REGISTRY DIVISION OF TORONTO 1863

CAUTION
 THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT

PLANN# _____
 AP-CARD# _____
 RSI# _____
 TRANS# _____

METRIC
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



DEPARTMENT OF PUBLIC WORKS
 CITY OF TORONTO

PLAN OF SURVEY
 OF
 PART OF ST ANDREW STREET
 BETWEEN KENSINGTON AVENUE AND SPADINA AVENUE
 REGISTERED PLAN D-10
 CITY OF TORONTO
 MUNICIPALITY OF METROPOLITAN TORONTO

J. D. PHILLIPS, O.L.S. 1981

SURVEYOR'S CERTIFICATE

1. The survey was done and carried out in accordance with The Survey Act and the Regulations and the City of Toronto Act.
 2. The survey was conducted in the City of Toronto, 1981.

J. D. Phillips
 Surveyor

LEGEND

Lot Line	0.10
Water Main	0.15
Gas Main	0.15
City of Toronto Survey	0.15
City of Toronto Survey	0.15

PLAN SYC860