



DELEGATED APPROVAL FORM DECLARE SURPLUS

TRACKING NO.: 2015-326

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:	Crystal Leung/Simona Rasanu	Division:	Real Estate Services
Date Prepared:	December 15, 2015	Phone No.:	416-392-8161

Purpose: To declare surplus part of the ground floor of -Etobicoke Civic Centre located at 399 The West Mall, and to authorize the invitation of an offer to renew the lease to Alderbuds Child Care Centre of Etobicoke ("Aldbuds"), which will result in a cumulative lease term (including renewals) exceeding 21 years.

Property: Portion of the ground floor of Etobicoke Civic Centre located at 399 The West Mall, legally described as part Lot 1, Concession 1 Northern Division Fronting Lake Ontario, Lying East of the West Mall, North of Civic Centre Court, West of Highway #427 & South of Burnhamthorpe Road, as in EB 337521, Part 1, 64R-1802, as closed by EB400655, Part 3, 64R-5366, EB150126, Except Parts 1 & 2, 64R-5366; as shown in bold outline and hatched on the sketch attached as Appendix "A" (the "Property").

- Actions:**
1. The Property be declared surplus, with the intended manner of disposal to be by way of a lease renewal to Alderbuds for the purpose of operating a child care centre.
 2. Notice be published in a newspaper in circulation in the area of the Property.
 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 and Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.

Background: At its meeting held on September 18, 1989, the former City of Etobicoke adopted Clause 394 of Report #17 of the Administration Committee, authorizing the execution of the lease between the former City of Etobicoke and Alderbuds for the purpose of a child care centre. The lease was for a term of five years with a right to renew for a further five-year term, which expired in 1999. Since then, Alderbuds has continued its occupancy on a month-to-month basis. Alderbuds has been in good standing with the City of Toronto and has met or exceeded the quality standards set by the City.

The City is proposing to enter into a new lease agreement with Alderbuds for a five-year term. However, the premises leased to Alderbuds is required to be declared surplus for the purpose of renewing the lease, resulting in cumulative lease term (including renewals) exceeding 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 Property. No municipal interest was expressed. Staff of the Affordable Housing Office has determined that there is no interest in the Property for affordable housing. Accordingly, it is appropriate that the Property be declared surplus. The Property Management Committee has reviewed this matter and concurs.

Property Details:

Ward:	Ward 3 – Etobicoke Centre
Assessment Roll No.:	Part of 1919-03-3-510-00100
Approximate Area:	365.5 m ² ± (3,600 ft ² ±)

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.
- (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.
 - n/a Councillor(s) agrees with exemption from notice to the public.
- (5)** revising the intended manner of sale
- (6)** rescinding the declaration of surplus authority

Title	Date	Recommended/ Approved
Manager	Dec. 16, 2015	Tasse Karakolis
Director		
Chief Corporate Officer	Dec. 22, 2015	Joe Casali (Acting)
Return to:		
Simona Rasanu Real Estate Services 2 nd Floor, Metro Hall		
DAF Tracking No.: 2015-326		

Consultation with Councillor(s): July 2014						
Councillor:	Councillor Leon					
Contact Name:	Councillor Leon					
Contacted by	X	Phone	X	E-mail		Other
Comments:	<ul style="list-style-type: none"> ▪ concurs with the 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		E-mail		Other
Comments:						

Consultation with other Division(s):			
Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Anthony Ng
Comments:		Comments:	Concurs with Financial Impact
Real Estate Law Contact:	Soo Kim Lee	Date:	07/16/2014

Appendix "A"



 **Toronto** Official Record of Highways
Technical Services - Survey and Mapping

