



## DELEGATED APPROVAL FORM DECLARE SURPLUS

TRACKING NO.: 2015-252

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.

<b>Prepared By:</b>	Mike Saffran	<b>Division:</b>	Real Estate Services
<b>Date Prepared:</b>	October 8, 2015	<b>Phone No.:</b>	392-7205

**Purpose:** To declare surplus a 0.6 metre wide strip of Bocastle Avenue abutting the west limit of 45 Roslin Avenue, conditional upon City Council approving the permanent closure of the said portion of the public highway, and to authorize the invitation of an offer to purchase the said portion of the public highway from the abutting owner of 45 Roslin Avenue (the "Adjoining Owner").

**Property:** A 0.6 metre wide strip of Bocastle Avenue abutting the property at 45 Roslin Avenue, shown as Part 1 on Sketch No. PS-2015-080 (the "Strip"), shown on Appendix "A" attached hereto.

- Actions:**
1. The Strip be declared surplus, conditional upon City Council approving the permanent closure of the portion of the public highway comprising the Strip.
  2. An offer to purchase the Strip be invited from the Adjoining Owner.
  3. Notice be published in a newspaper in circulation in the area of the Strip and be posted on the City's website.
  4. 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 Strip is currently part of the public highway known as Bocastle Avenue, as laid out in Subdivision Plan M260, registered on May 3, 1907. The Adjoining Owner has expressed interest in acquiring the Strip from the City in order to legalize long-standing encroachments of the building and eaves onto Bocastle Avenue. The Strip was not acquired through expropriation proceedings.

**Comments:** Transportation Services has reviewed the feasibility of closing the portion of the highway comprising the Strip and determined that the Strip is surplus to its requirements and can be permanently closed, conditional upon City Council approving the permanent closure of the portion of the highway comprising the Strip.

A circulation to the City's ABCDs was undertaken to ascertain whether or not there is any municipal interest in retaining the Strip. 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 Strip be declared surplus. The Property Management Committee has reviewed this matter and concurs.

**Property Details:**

<b>Ward:</b>	25 – Don Valley West
<b>Assessment Roll No.:</b>	N/A
<b>Approximate Size:</b>	0.6 m x 28.6 ± (1.96 ft x 93.83 ft ±)
<b>Approximate Area:</b>	15.7 m <sup>2</sup> ± (169.0 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
  - © 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
  - © 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	Oct. 8, 2015	Melanie Hale-Carter
Director	Oct. 9, 2015	Joe Casali
Chief Corporate Officer	Oct. 15, 2015	Josie Scioli
<b>Return to:</b>		
<b>Mike Saffran (392-7205)</b> <b>Real Estate Services</b> <b>2<sup>nd</sup> Floor, Metro Hall</b>		
<b>DAF Tracking No.: 2015-252</b>		

Consultation with Councillor(s):						
Councillor:	Jaye Robinson					
Contact Name:	Leslie Burlie					
Contacted by	<input checked="" type="checkbox"/> Phone	<input checked="" type="checkbox"/> E-mail	<input type="checkbox"/> Memo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Other
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> <li>Responded October 7, 2015</li> </ul>					
Councillor:						
Contact Name:						
Contacted by	<input type="checkbox"/> Phone	<input type="checkbox"/> E-mail	<input type="checkbox"/> Memo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Other
Comments:						

Consultation with other Division(s):			
Division:	Transportation Services	Division:	Financial Planning
Contact Name:	Attilio Grande	Contact Name:	Filisha Mohammed
Comments:	Reviewed and concurs – October 5, 2015/	Comments:	Concurs with Financial Impact Statement – October 5, 2015
Real Estate Law Contact:	Jack Payne	Date:	October 2, 2015

Appendix "A"

