

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 9, 2015	Phone No.:	(416) 392-8160										
Purpose:	To declare surplus the vacant City owned land under the elevated portion of Jane Street, south of Trethewey Drive, with the intended manner of disposal to be by way of extension of an existing lease (for which a separate authority will be sought). The extended lease will, due to the terms of the previous leases, have a cumulative lease term that exceeds 21 years.												
Property:	The vacant land under the elevated portion of Jane Street, south of Trethewey Drive, shown as part 3 on Plan L-132-42 (the "Leased Lands").												
Actions:	<ol style="list-style-type: none"> 1. The Leased Lands be declared surplus (i) for the purpose of and (ii) 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 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:	<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 Jane Street road allowance. In October 1996, the former Municipality of Metropolitan Toronto entered into a lease agreement with 676019 Ontario Ltd. for a two (2) year period, commencing November 1, 1996 and expiring October 31, 1998. This lease was renewed for a one year period, after which 676019 Ontario Ltd. became a month to month tenant. The current tenant, Handy Bins Disposal Ltd. has been occupying the lands since 2007 when on July 1, 2007, 676019 Ontario Ltd vacated. The City and Handy Bins have since formalized an agreement retroactively starting from July 1, 2007.</p> <p>Handy Bins Disposal Ltd. has requested a renewal of this lease agreement. The Leased Lands are required to be declared surplus as renewing the lease will result in a cumulative term of greater than 21 years, commencing in 1996 and ending in 2019.</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 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>11 – York South-Weston</td> </tr> <tr> <td>Assessment Roll No.:</td> <td></td> </tr> <tr> <td>Approximate Size:</td> <td></td> </tr> <tr> <td>Approximate Area:</td> <td>996m² ± (10,398 ft² ±)</td> </tr> <tr> <td>Other Information:</td> <td></td> </tr> </table>			Ward:	11 – York South-Weston	Assessment Roll No.:		Approximate Size:		Approximate Area:	996m ² ± (10,398 ft ² ±)	Other Information:	
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Assessment Roll No.:													
Approximate Size:													
Approximate Area:	996m ² ± (10,398 ft ² ±)												
Other Information:													
	<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.												

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

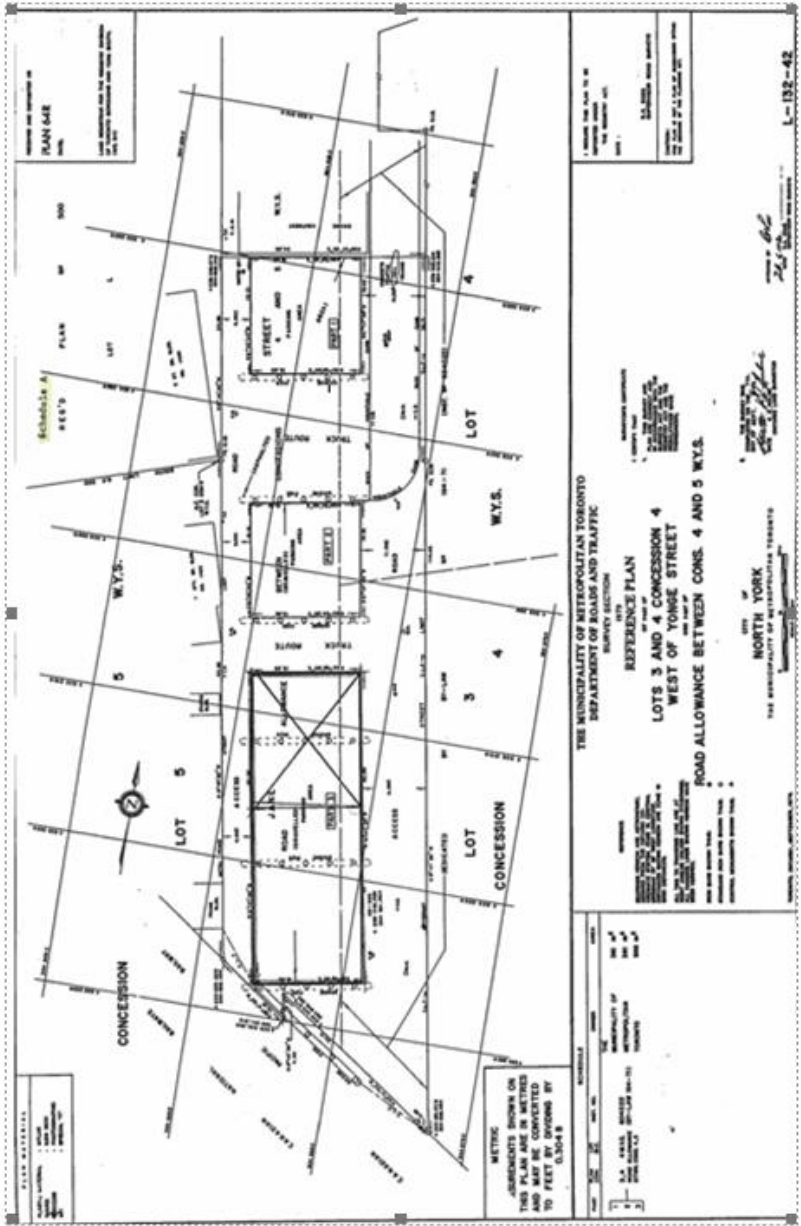
Title	Date	Recommended/ Approved
Manager	Sept. 10, 2015	Tasse Karakolis
Director	Sept. 24, 2015	Joe Casali
Chief Corporate Officer	Sept. 28, 2015	Josie Scioli
Return to: Trixy Pugh Real Estate Services Metro Hall, 55 John Street, 2nd Fl (416) 392-8160		
DAF Tracking No.: 2015-052		

Consultation with Councillor(s):								
Councillor:	Frances Nunziata							
Contact Name:	Jennifer Cicchelli (January 7, 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:	Charlotte Harbell (September 2, 2015)	Date:	September 2, 2015

Appendix 'A': Location Map and Sketch





NOTES AND SPECIFICATIONS
RAN 64E
DATE

PLANNING
PLAN NO. 100
LOT 1

Schedule A
WEST'S

LOT 5
W.Y.S.

LOT 4
W.Y.S.



NOTES AND SPECIFICATIONS
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W.Y.S.

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

THE MUNICIPALITY OF METROPOLITAN TORONTO
DEPARTMENT OF TRAFFIC
RAILWAY SECTION
CITY

REFERENCE PLAN
LOTS 3 AND 4 CONCESSION 4
WEST OF YONGE STREET
ROAD ALLOWANCE BETWEEN CONS. 4 AND 5 W.Y.S.

DATE
BY
CHECKED BY
APPROVED BY

NORTH YORK
THE MUNICIPALITY OF METROPOLITAN TORONTO

L-133-42