

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:	May 13, 2015	Phone No.:	(416) 392-8160

Purpose: To declare surplus the portion of Valley Crescent shown as Part 3 on Sketch No. PS-2015-019, conditional upon City Council approving the permanent closure of the portion of Valley Crescent at the rear of 75 to 81 Westbury Crescent, shown as Parts 1, 2 and 3 on Sketch No. PS-2015-019, subject to the reservation by the City of a 6m wide water main easement, and to authorize the invitation of an offer to purchase Part 3 on Sketch No. PS-2015-019 from the owner of 75R and/or 77R Westbury Crescent that includes a proposed land exchange involving 85R Westbury Crescent.

Property: A portion of Valley Crescent on Plan 2008, Township of York, Lying Between Rotherham Avenue and Hyde Avenue, shown as Part 3 on Sketch No. PS-2015-019, subject to the reservation by the City of a 6m wide easement for water main purposes (the "Additional Road Allowance Lands"), illustrated on Appendix "A".

- Actions:**
1. The Additional Road Allowance Lands be declared surplus, conditional upon City Council approving the permanent closure of the Additional Road Allowance Lands as a public highway, subject to the reservation by the City of a 6m wide easement for water main purposes, and an offer to purchase the Additional Road Allowance Lands be invited from the owner of 75R and/or 77R Westbury Crescent that also includes a proposed land exchange involving 85R Westbury Crescent.
 2. Notice be published in a newspaper in circulation in the area of the Property and 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: By adoption of Item GM32.16, at its meeting held on August 25, 26, 27 and 28, 2014, City Council declared surplus the portion of Valley Crescent now shown as Parts 1 and 2 on Sketch No. PS-2015-019 (the "Original Road Allowance Lands"), conditional upon City Council approving the permanent closure of the Original Road Allowance Lands as a public highway, and City Council authorized the Chief Corporate Officer to invite an offer(s) to purchase the Original Road Allowance Lands from the owners of 75R and 77R Westbury Crescent. The owners of 75R and 77R Westbury Crescent have since expressed interest in acquiring the Additional Road Allowance Lands as part of the proposed land exchange transaction.

Transportation Services has confirmed that the City has no intention of constructing a road on the unopened portion of Valley Road beyond its existing dead end at the rear of 71 Westbury Crescent. Also, Toronto & Region Conservation Authority has advised that Valley Crescent is entirely within the Regulatory Flood Plain of Black Creek, which prohibits any development on these lands.

Comments: A circulation to the City's ABCDs was undertaken to ascertain whether or not there is any municipal interest in retaining the Additional Road Allowance Lands. Toronto Water has advised that it requires the reservation of a 6m wide easement over the Original Road Allowance Lands and the Additional Road Allowance Lands. Staff of the Affordable Housing Office has determined that there is no interest in the Additional Road Allowance Lands for affordable housing. Accordingly, it is appropriate that the Additional Road Allowance Lands be declared surplus, subject to the reservation by the City of a 6m wide easement for water main purposes. The Property Management Committee has reviewed this matter and concurs.

As part of the negotiations for the proposed land exchange, staff will ascertain whether the owner of 53 Valley Crescent requires easement rights over all or some portion of the Original Road Allowance Lands and the Additional Road Allowance Lands to provide extra turning radius to enter his property. If such easement rights are required, authority to grant such rights will be requested at the same time that authority is requested to enter into the proposed land exchange agreement.

Property Details:

Ward:	12 – York South-Weston
Assessment Roll No.:	
Approximate Size:	20.1 m x14.7 m ± (70 ft x 48.2 ft ±)
Approximate Area:	296.3 m ² ± (3,189 ft ² ±)
Other Information:	

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:

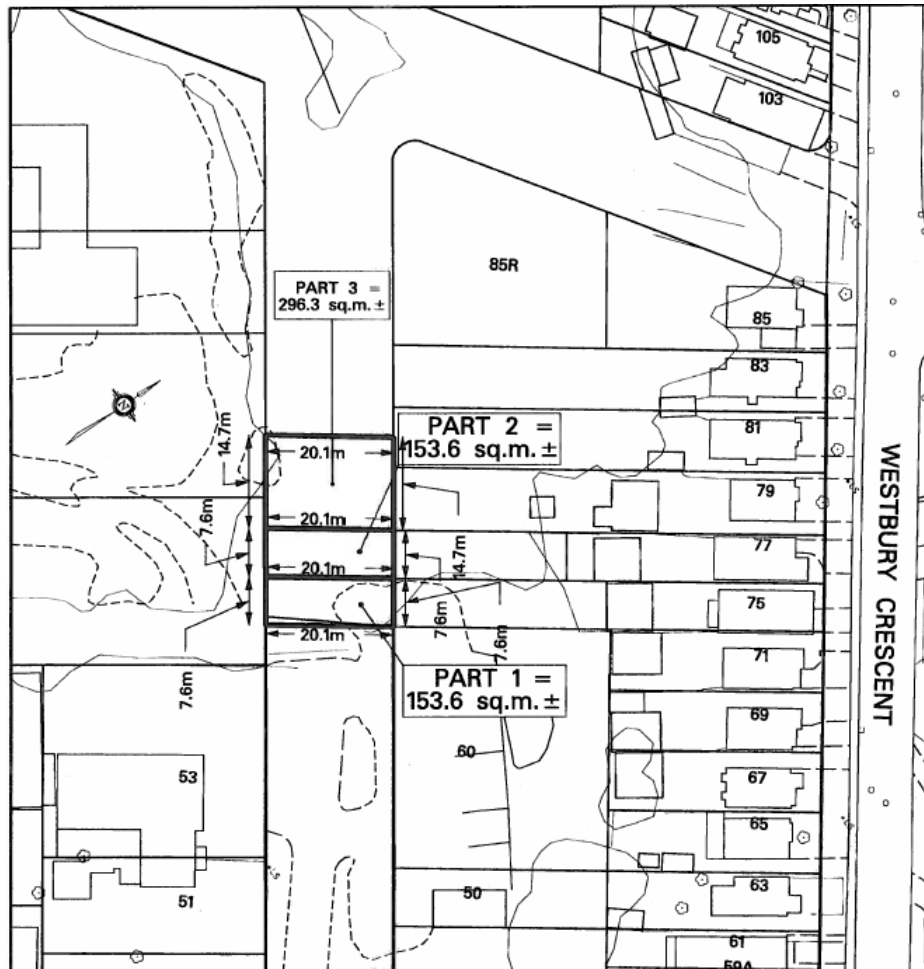
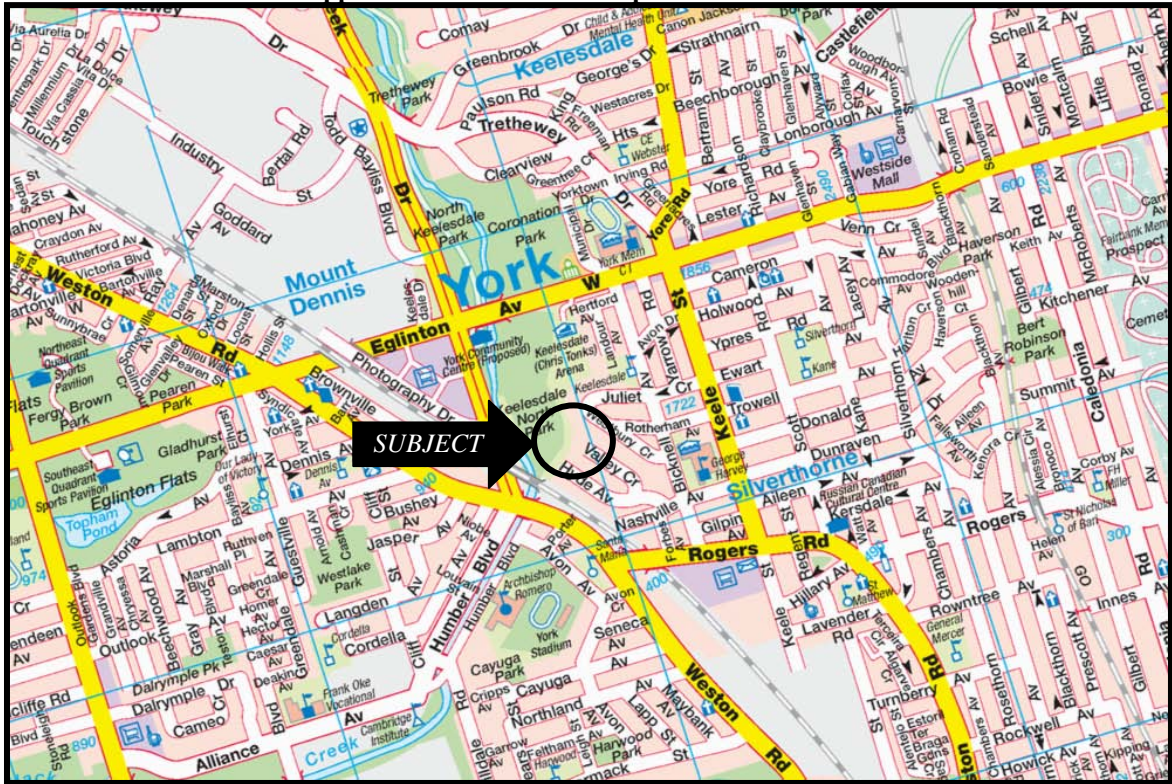
- A (1) declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
 - Councillor does not require 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	May 14, 2015	Tasse Karakolis
Director	May 15, 2015	Joe Casali
Chief Corporate Officer	May 21, 2015	Josie Scioli
Return to: Trixy Pugh Real Estate Services Metro Hall, 55 John Street, 2nd Fl (416) 392-8160		
DAF Tracking No.: 2015-103		

Consultation with Councillor(s):					
Councillor:	Frank Di Giorgio aware of disposal				
Contact Name:					
Contacted by	Phone	E-mail	Memo	Other	
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	E-mail	Memo	Other	
Comments:					

Consultation with other Division(s):			
Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Anthony Ng
Comments:		Comments:	Incorporated into DAF
Real Estate Law Contact:	Jacqueline Vettorel	Date:	May 13, 2015

Appendix "A": Location Map & Sketch



Toronto
 ENGINEERING & CONSTRUCTION SERVICES
 DIMENSIONAL SUPPORT SERVICES
 LAND & PROPERTY SURVEYS

PROPERTY INFORMATION SHEET
 PORTIONS OF VALLEY CRESCENT AT THE REAR OF
 NO. 75 WESTBURY CRESCENT (PART 1),
 NO. 77 WESTBURY CRESCENT (PART 2) AND
 NO. 79 AND 81 WESTBURY CRESCENT (PART 3)

NOTE:
 THIS SKETCH HAS BEEN
 COMPILED FROM OFFICE
 RECORDS, MEASUREMENTS
 ARE APPROXIMATE

CHECK BY JOHN HOUSE
 PREPARED BY: DWAYNE PITT

WARD 12 - YORK SOUTH-WESTON
 DATE: MARCH 09, 2015

SKETCH No. PS-2015-019