



DELEGATED APPROVAL FORM DECLARE SURPLUS

TRACKING NO.: 2017-091

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:	Neubert Li	Division:	Real Estate Services
Date Prepared:	April 20, 2017	Phone No.:	(416) 392-1243
Purpose:	To declare surplus part of a public highway and to authorize the invitation of an offer to purchase from the abutting property owner, subject to the reservation of an easement in favour of the City of Toronto and the granting of an easement to Rogers Cable, conditional upon City Council approval of the permanent closure of the subject highway.		
Property:	A portion of a public highway dedicated as Buttonwood Avenue on Plan 652 located adjacent to 82 Buttonwood Avenue (the "Abutting Property") and shown as Part 1 on Sketch No. PS-2016-002 (the "Highway").		
Actions:	<ol style="list-style-type: none"> 1. The Highway be declared surplus conditional upon City Council approving the permanent closure of the Highway, subject to the reservation of an easement in favour of the City of Toronto for existing Toronto Water infrastructure and the granting of an easement to Rogers Cable 2. An offer to purchase the Highway be invited from the owner of the Abutting Property. 3. Notice be published in a newspaper in circulation in the area of the Road and 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:	Buttonwood Avenue runs southwest from Weston Road. The Highway is at the far west end of Buttonwood Avenue. The Abutting Property surrounds the Highway on three sides and is currently owned and occupied by West Park Healthcare Centre ("WPHC"). WPHC has expressed an interest in acquiring the Highway for incorporation into its expansion/redevelopment project. WPHC is proposing to reconfigure the existing road pattern within the Abutting Property. The reconfiguration will result in net benefit for WPHC, the City and the public by creating new pedestrian and vehicular connections. The Highway was not acquired through expropriation proceedings.		
Comments:	<p>Toronto Water records indicate there is an active 300 mm watermain and an active 525 mm combined sewer located within the Highway. An easement will be required for protection of the existing municipal services in the event of a sale. Rogers Cable requires an easement for protection of its existing aerial plant.</p> <p>A circulation to the City's ABCDs was undertaken to ascertain whether or not there is any municipal interest in retaining the Highway. No municipal interest was expressed, save and except the Toronto Water easement. Staff of the Affordable Housing Office has determined that there is no interest in the Highway for affordable housing. Accordingly, it is appropriate that the Highway be declared surplus. The Property Management Committee has reviewed this matter and concurs.</p>		
Property Details:	Ward:	11 – York South-Weston	
	Assessment Roll No.:		
	Approximate Size:	74.3m x 20.1 m ± (243.7 ft x 70 ft ±)	
	Approximate Area:	1,364.6 m ² ± (14,688.4 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:

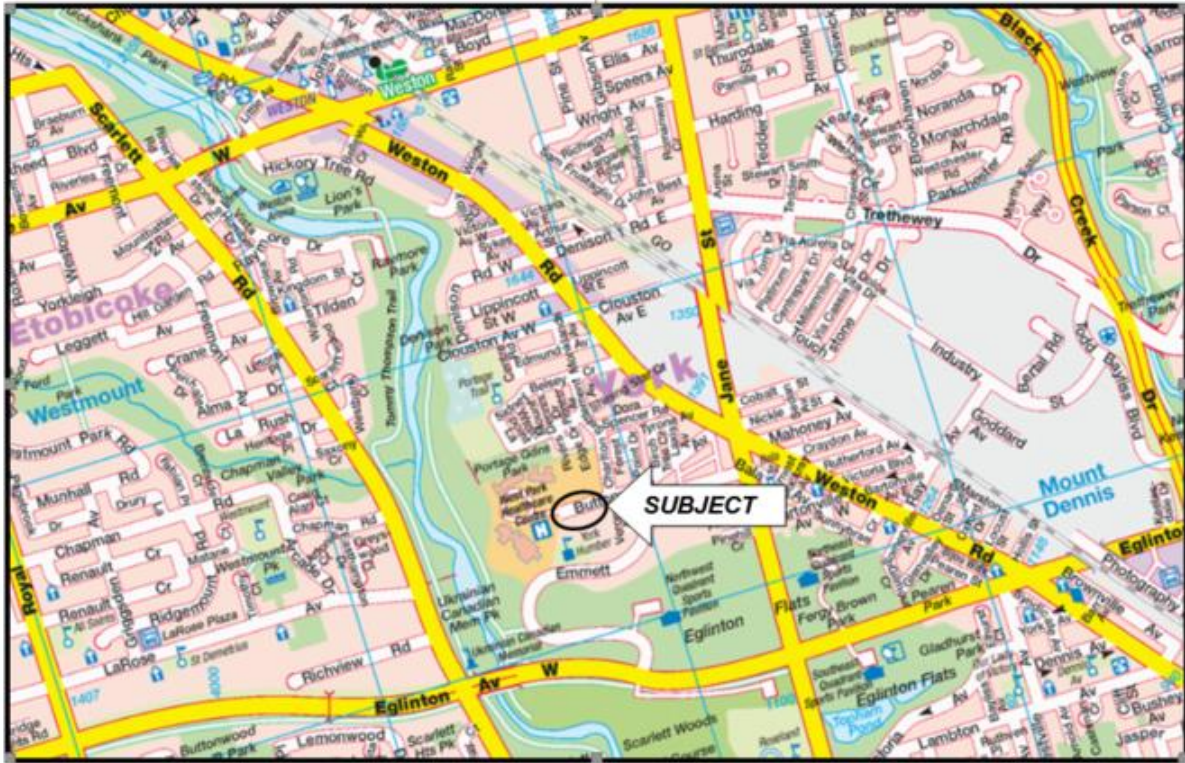
- A (1) declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
 - Councillor does not require 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	April 21, 2017	Nick Simos
Director	May 2, 2017	Joe Casali
Chief Corporate Officer	May 2, 2017	Josie Scioli
Return to: Neubert Li Real Estate Services Metro Hall, 55 John Street, 2nd Fl (416) 392-1243		
DAF Tracking No.: 2017-091		

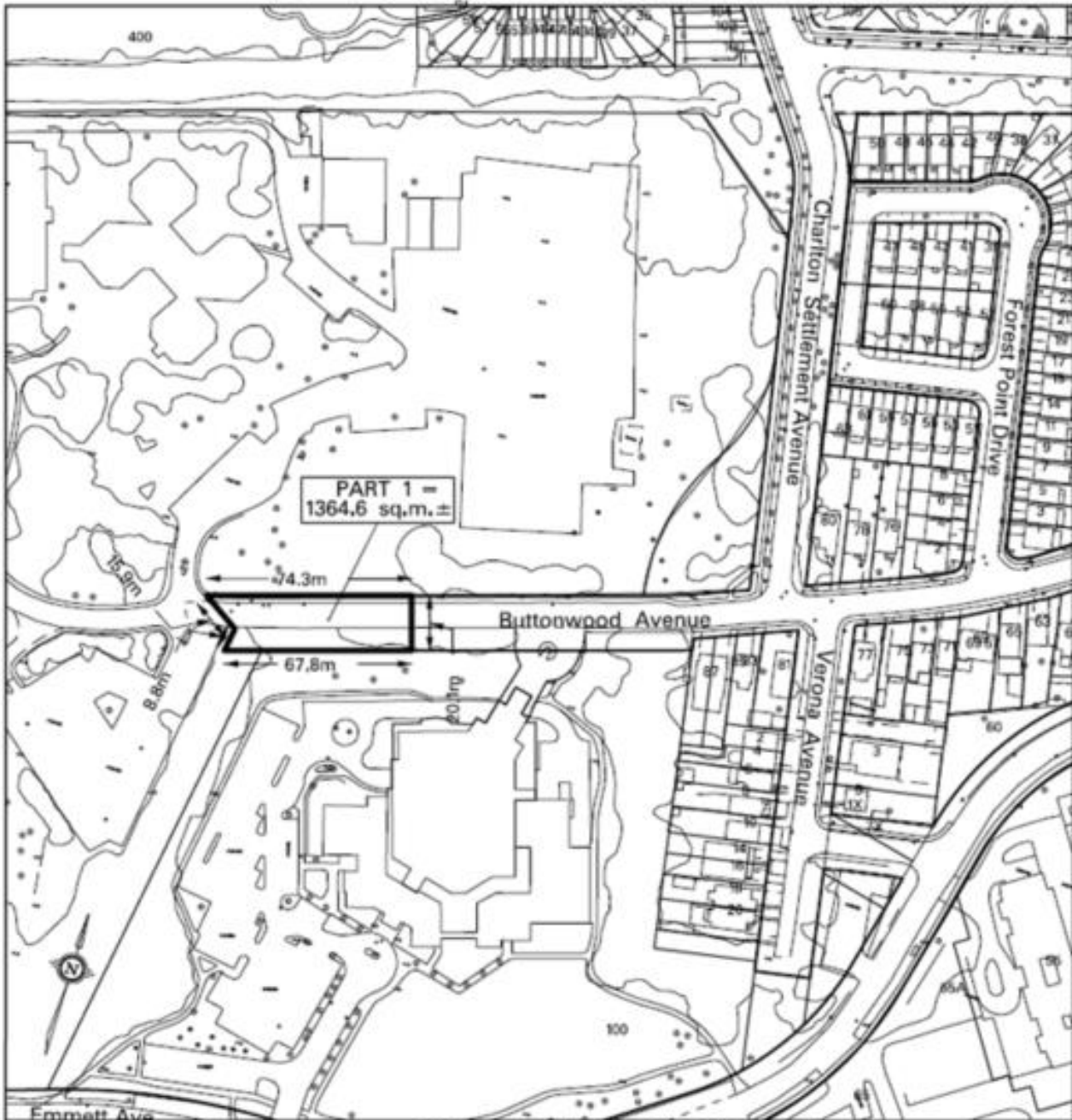
Consultation with Councillor(s):						
Councillor:	Frances Nunziata					
Contact Name:						
Contacted by	Phone	x	E-mail		Memo	Other
Comments:	• Concurs (April 6, 2017)					
Councillor:						
Contact Name:						
Contacted by	Phone		E-mail		Memo	Other
Comments:						

Consultation with other Division(s):			
Division:	Transportation Services	Division:	Financial Planning
Contact Name:	Laurie Robertson/Lukasz Pawlowski	Contact Name:	Filisha Mohamed
Comments:	Incorporated into DAF (December 21, 2016)	Comments:	Incorporated into DAF (April 4, 2017)
Real Estate Law Contact:	Bronwyn Atkinson (April 13, 2017)	Date:	

APPENDIX "A" - LOCATION MAP & SKETCH



APPENDIX "B"



<p>Toronto ENGINEERING & CONSULTING SERVICES ENGINEERING SUPPORT SERVICES LAND & PROPERTY SERVICES</p>	<p>PROPERTY INFORMATION SHEET SKETCH SHOWING A PORTION OF BUTTONWOOD AVENUE ABUTTING NO. 82 BUTTONWOOD AVENUE</p>
<p>NOTE: THIS SKETCH HAS BEEN COMPILED FROM OFFICE RECORDS, MEASUREMENTS ARE APPROXIMATE</p>	<p>WARD 11 – YORK SOUTH-WESTON DATE: JANUARY 06, 2016</p>
<p>CHECK BY JOHN HOUSE PREPARED BY DWAYNE FITT</p>	<p>SKETCH No. PS-2016-002</p>