

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:	Irina Fofanova	Division:	Real Estate Services										
Date Prepared:	October 17, 2016	Phone No.:	416-397-0806										
Purpose:	To declare surplus a part of the existing public lane adjacent to 27, 37 Yorkville Avenue and 50 Cumberland Street conditional upon City Council approving the permanent closure of said part of public lane with the intended manner of disposal to be by way of an invitation of an offer to purchase the said part of public lane from the developer of 27 Yorkville Avenue for incorporation into the proposed development.												
Property:	Part of public lane located adjacent to 27, 37 Yorkville Avenue and 50 Cumberland Street, being part of Lane PL 355 Yorkville; PT LT 5, 10-11, 7 PI 355 Yorkville PT 1 63R4230, PT 1 63R1989, PT 1 63R3495, PT 1 64R15426; PT LT 21 Con 2 FTB TWP of York as in EM57810; Part Lot 21 Con 2, FTB TWP of York Parts 1 and 2 on Plan 63R3265 City of Toronto and shown as Parts 1 to 3 on Sketch PS-2016-044, attached as Schedule "B" (the "Property").												
Actions:	<ol style="list-style-type: none"> 1. The Property be declared surplus conditional upon City Council approving the permanent closure of the highway and 2. An offer to purchase the Property be invited from the owner of 27 and 37 Yorkville Avenue 3. Notice be published in a newspaper in circulation in the area of the Property and posted on 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:	<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 TPA recently sold a portion of the City-owned lands adjacent to the public lane to Kingsett Capital (the "Developer") for the purposes of a redevelopment of the site. The City is retaining a stratified interest in the site to accommodate a TPA parking garage. The Developer is also including additional lands to the east within the proposed redevelopment, which also include part of the City's existing lane, shown as Parts 1, 2 & 3 on the PS sketch PS 2016-044, as part of the development site. The proposal was recommended by City Planning and approved by City Council. Parts 1, 2 & 3 will be stopped up and closed and sold to the developer for incorporation into the development. A portion of this land will be dedicated back to the City as parkland. Part 4 on Sketch PS 2016-044 represents the location of a new public lane, to be built and conveyed to the City by the Developer prior to the closure and sale of any portion of the existing lane, identified as Parts 1, 2 & 3 on PS 2016-044.</p> <p>Transportation Services has reviewed the matter and has no objections with the proposed closure of the Property.</p>												
Comments:	A circulation to the City's ABCDs 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:	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Ward:</td> <td>27 – Toronto Centre-Rosedale</td> </tr> <tr> <td>Assessment Roll No.:</td> <td></td> </tr> <tr> <td>Approximate Size:</td> <td>16.4 m x 4.3 m ± (53.8 ft x 14.4 ft ±) & 21.3 m x 3.7 m ± (69.9 ft x 12.1 ft ±)</td> </tr> <tr> <td>Approximate Area:</td> <td>150.8 m² ± (1,623.6 ft² ±)</td> </tr> <tr> <td>Other Information:</td> <td></td> </tr> </table> <p><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.</p>			Ward:	27 – Toronto Centre-Rosedale	Assessment Roll No.:		Approximate Size:	16.4 m x 4.3 m ± (53.8 ft x 14.4 ft ±) & 21.3 m x 3.7 m ± (69.9 ft x 12.1 ft ±)	Approximate Area:	150.8 m ² ± (1,623.6 ft ² ±)	Other Information:	
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Other Information:													

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:

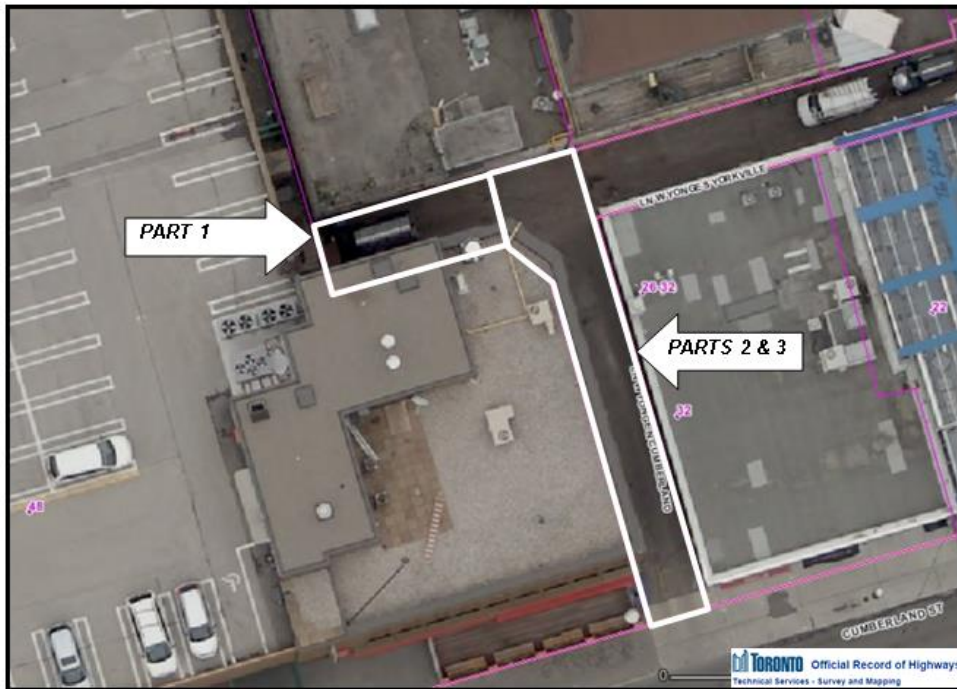
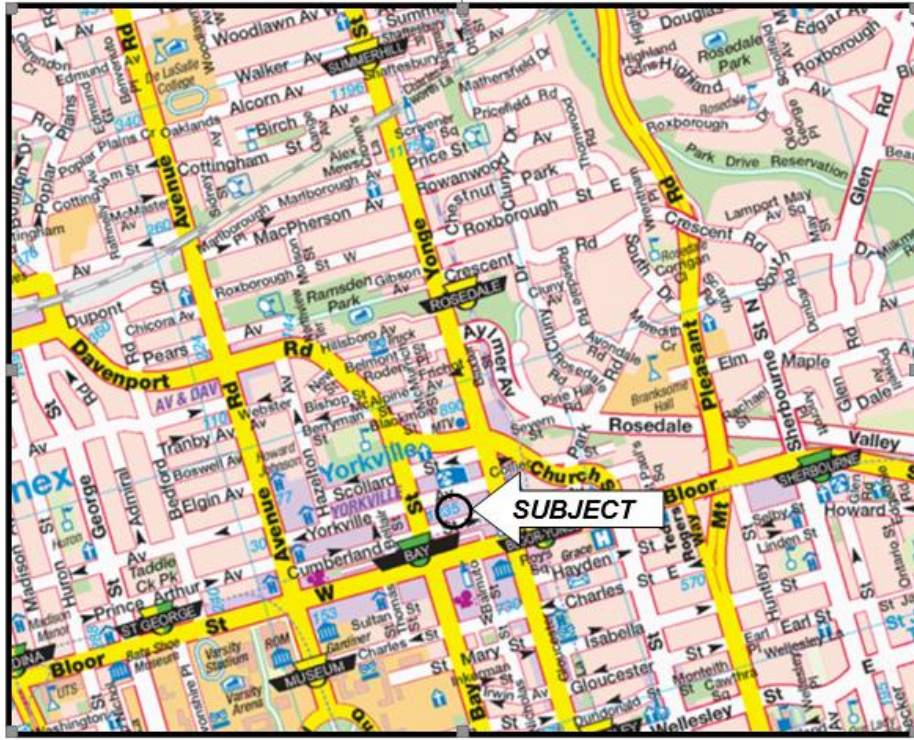
- A (1) declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
 - Councillor does not require 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	Oct. 17, 2016	Nick Simos
Director	Oct. 31, 2016	Joe Casali
Chief Corporate Officer	Nov. 11, 2016	Josie Scioli
Return to:		
DAF Tracking No.: 2016-232		

Consultation with Councillor(s):					
Councillor:	Kristyn Wong-Tam				
Contact Name:	Melissa Wong				
Contacted by	Phone	<input checked="" type="checkbox"/>	E-mail	Memo	Other
Comments:	[to obtain Councillor concurrence to the following:] <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:	Transportation Services / City Planning/TPA	Division:	Financial Planning
Contact Name:	Laurie Robertson /Oren Tamir/Greg Blyskosz	Contact Name:	Filisha Mohammed
Comments:	Included – Oct 14, 2016	Comments:	Reviewed and approved.
Real Estate Law Contact:	Barbara Cappell – Sept 30, 2016	Date:	Oct 6, 2016

SCHEDULE "A"
LOCATION MAP & AERIAL PICTURE



**SCHEDULE "B"
SKETCH OF THE PROPERTY**

