

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:	February 25, 2016	Phone No.:	416-397-0806

Purpose: To declare surplus two below-grade portions of the public lane located west of Yonge Street extending southerly from Yorkville Avenue, subject to reserving a support easement to support the public lane, conditional upon City Council approving the permanent closure of said below-grade portions of public lane, and to authorize the invitation of an offer to purchase said below-grade portions of the public lane from the owner of 1 Yorkville Avenue.

Property: Two below-grade portions of the public lane west of Yonge Street extending southerly from Yorkville Avenue; being PT LT 5 PL 355 Yorkville, designated as Part 1, 63R4230 and PT LT 21, CON 2 FTB TWP of York, designated as Parts 1 and 2 on Plan 63R 3265, City of Toronto and shown as Parts 1 and 2 on Sketch PS-2015-070, attached as Schedule "B" (the "Strata Properties").

- Actions:**
1. The Strata Properties be declared surplus, subject to the reservation of a support easement, conditional upon City Council approving the permanent closure of the Strata Properties as a public lane, and an offer to purchase the Strata Properties be invited from the owner of 1 Yorkville Avenue.
 2. Notice be published in a newspaper in circulation in the area of the Strata Properties 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: There are no financial implications resulting from this approval.

Deputy City Manager & Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.

Background: The Strata Properties were acquired in the mid-1980s for lane widening purposes. They were not acquired by expropriation. The owner of 1 Yorkville Avenue that is also the owner of the lands adjoining the Strata Properties and other land in the area, has requested the closure and sale of the Strata Properties to accommodate the construction of an underground parking garage to serve a mixed use project on its adjoining development site.

Transportation Services has reviewed the matter and has no objections with the proposed closure of the Strata Properties.

Comments: A circulation to the City's ABCDs was undertaken to ascertain whether there is any municipal interest in retaining the Strata Properties. No municipal interest was expressed including from Toronto Water who advised and confirmed that it does not have any infrastructure within the Strata Properties and does not require any protection. Accordingly, it is appropriate that the Strata Properties be declared surplus. The Property Management Committee has reviewed this matter and concurs.

Property Details:

Ward:	27 – Toronto Centre-Rosedale
Assessment Roll No.:	
Approximate Size:	1.2 m x 4 m ± (4 ft x 13 ft ±) & 1.2 m x 6 m ± (4 ft x 19.6 ft ±)
Approximate Area:	4.8 m ² ± (52 ft ²)± & 7.2 m ² ± (78.4 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:

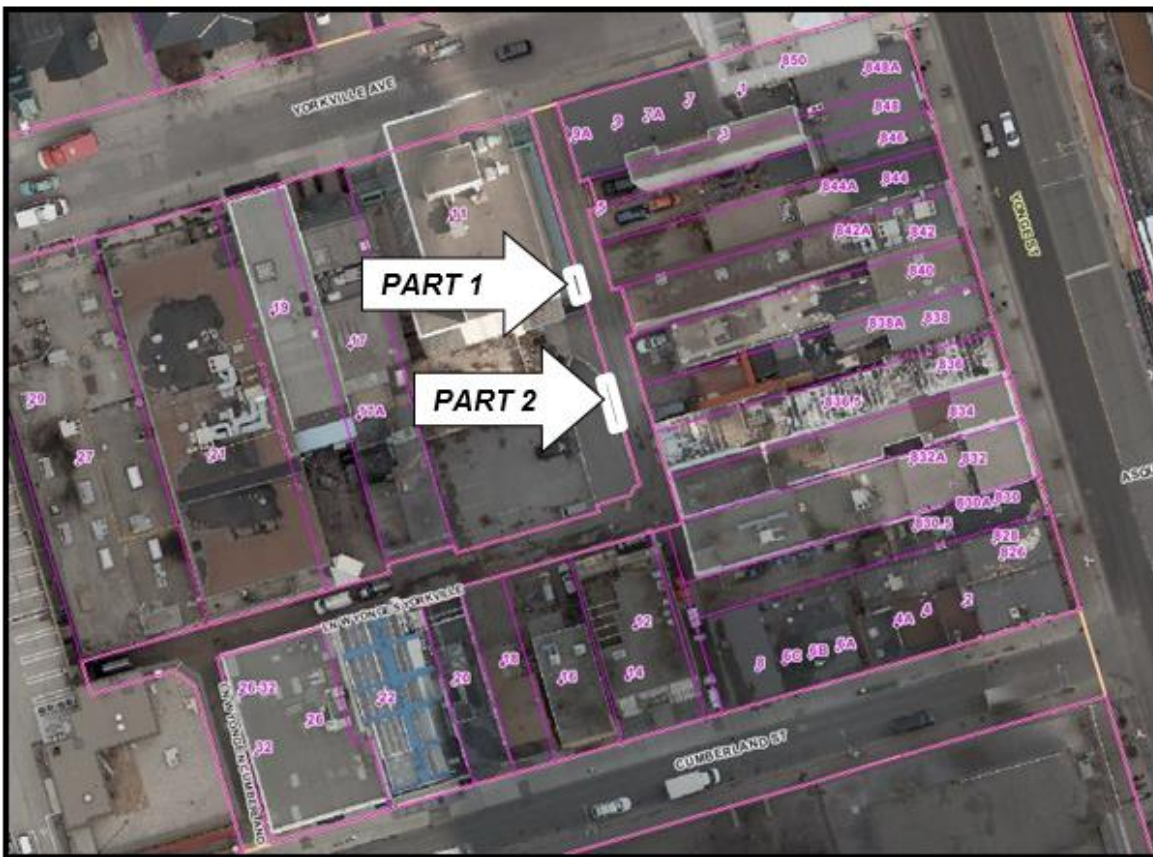
- A (1)** declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
 - Councillor does not require 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	Feb. 29/16	Tasse Karakolis
Director	Mar. 4/16	Joe Casali
Chief Corporate Officer	Mar. 9/16	Josie Scioli
Return to:		
DAF Tracking No.: 2016-039		

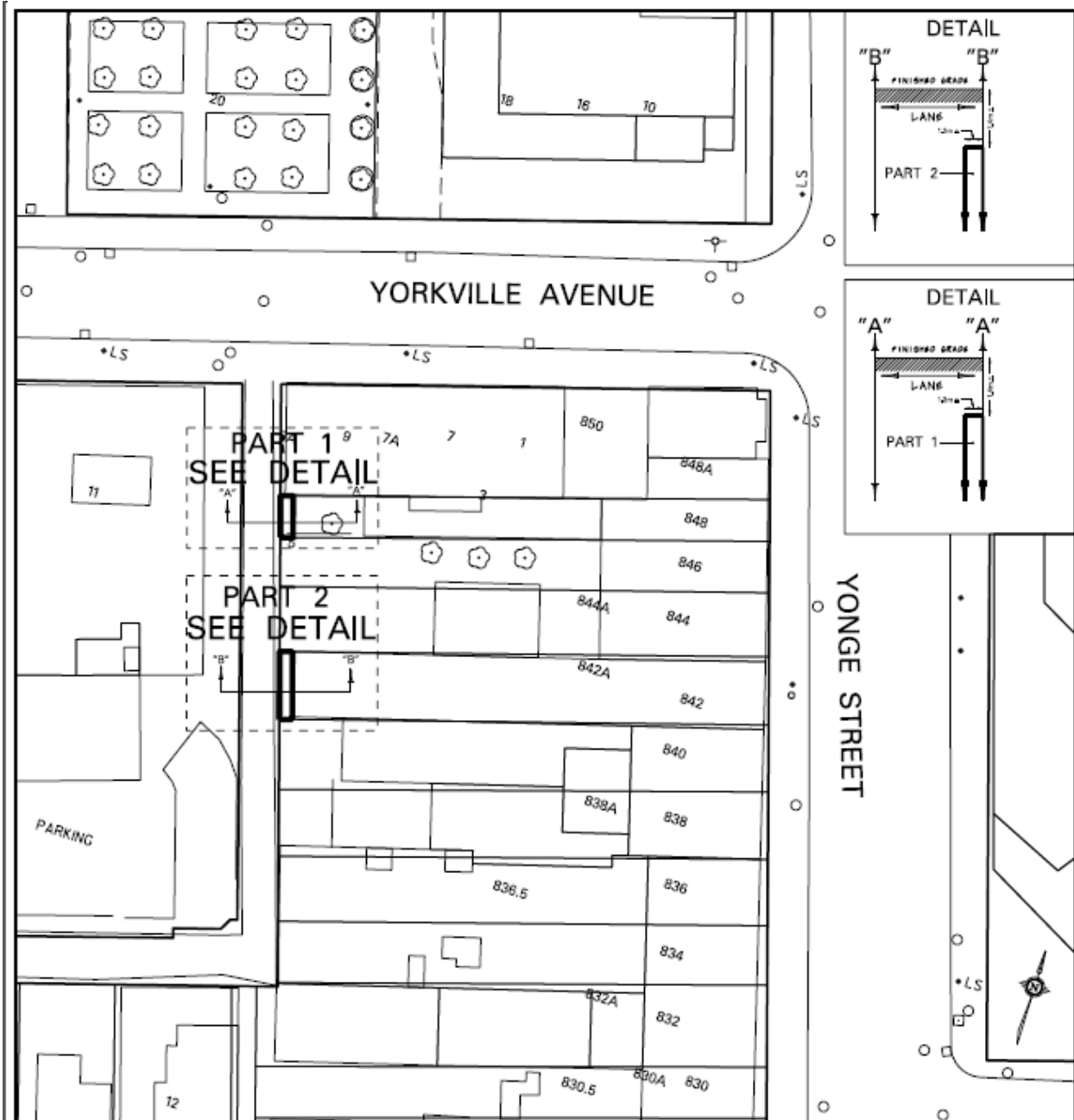
Consultation with Councillor(s):					
Councillor:	Kristyn Wong-Tam				
Contact Name:	Sheila Pardoe				
Contacted by	Phone	<input checked="" type="checkbox"/>	E-mail	Memo	Other
Comments:	[to obtain Councillor concurrence to the following:] <ul style="list-style-type: none"> • Concurs with recommendation • 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	Division:	Financial Planning
Contact Name:	Laurie Robertson /Oren Tamir	Contact Name:	Filisha Mohammed
Comments:	No objections –Jan 28, 2016	Comments:	Reviewed and approved.
Real Estate Law Contact:	Eric Angelini/Deborah Boudreau – Feb 9, 2016	Date:	Feb 11, 2016

SCHEDULE "A"
LOCATION MAP & AERIAL PICTURE



**SCHEDULE "B"
SKETCH OF THE PROPERTIES**



Toronto

ENGINEERING & CONSTRUCTION SERVICES
ENGINEERING SUPPORT SERVICES
LAND & PROPERTY SERVICES

NOTE:

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

CHECK BY JOHN HOUSE

PREPARED BY: DWAYNE PITT

WARD 27 - TORONTO CENTRE-ROSEDALE

DATE: JUNE 16, 2015

PROPERTY INFORMATION SHEET
SKETCH SHOWING PORTIONS OF
THE PUBLIC LANE ABUTTING
NO. 1 YORKVILLE AVENUE

SKETCH No. PS-2015-070