

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:	Susan Lin	Division:	Real Estate Services										
Date Prepared:	April 8, 2016	Phone No.:	416-392-4135										
Purpose:	To declare surplus a portion of City-owned land located at 4086 Sheppard Avenue East, and to authorize the invitation of an offer to purchase the property from Metrolinx.												
Property:	Part of 4086 Sheppard Avenue East, being part of Lot 28, Concession 3 Scarborough, Parts 4-7 on Expropriation Plan 8759 (Sc419077), shown as Parts 2 & 9 on Sketch Job No. 2014-00407-2, attached as Appendix "A"; (the "Property").												
Actions:	<ol style="list-style-type: none"> 1. The Property be declared surplus, and an offer to purchase the Property be invited from Metrolinx. 2. The Property be disposed of without giving the owner from whom the land was expropriated the first chance to repurchase the land on the terms of the best offer received by the expropriating authority. 3. Notice be published in a newspaper in circulation in the area of the Property. 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 former Municipality of Metropolitan Toronto ("Metro Toronto") expropriated the Property by By-law 3307 in 1965 for the widening Sheppard Avenue East. City Council, at its meeting on May 11 and 12, 2010, has authorized the disposition of lands acquired by expropriation without giving the owner from whom the land was expropriated the first chance to repurchase the land on the terms of the best offer received by the expropriating authority, if the expropriation has taken place ten years or more prior to the proposed disposal.</p> <p>In 1982, Metro Toronto leased the Property to The Toronto Area Transit Operating Authority ("TATOA"), a municipally run transit agency in the Toronto area that had responsibility for GO Transit, for use as a ground-level commuter parking lot for a term of one (1) year and continuing from year to year until either party provides to the other at least one (1) year's prior written notice of termination. When TATOA ceased to exist in 2002, the lease was assumed by GO Transit, who in 2009 merged with the current tenant Metrolinx.</p> <p>Metrolinx has identified the Property as being required for improvement of parking and station infrastructure initiatives at the Agincourt GO Station, and has asked to purchase the Property from the City.</p>												
Comments:	A circulation to the City's internal and external stakeholders 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: 30%;">Ward:</td> <td>39 – Scarborough-Agincourt</td> </tr> <tr> <td>Assessment Roll No.:</td> <td>Part of 1901-1-11-210-00100</td> </tr> <tr> <td>Approximate Size:</td> <td>Irregular in shape</td> </tr> <tr> <td>Approximate Area:</td> <td>3,138.7 m² ± (33,784.7 ft² ±)</td> </tr> <tr> <td>Other Information:</td> <td></td> </tr> </table>			Ward:	39 – Scarborough-Agincourt	Assessment Roll No.:	Part of 1901-1-11-210-00100	Approximate Size:	Irregular in shape	Approximate Area:	3,138.7 m ² ± (33,784.7 ft ² ±)	Other Information:	
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Approximate Area:	3,138.7 m ² ± (33,784.7 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, 8, 2016	Tasse Karakolis
Director	April 15, 2016	Joe Casali
Chief Corporate Officer	April 15, 2016	Josie Scioli
Return to:		
Susan Lin Real Estate Services Metro Hall, 2 nd Floor 416-392-4135		
DAF Tracking No.: 2016-052		

Consultation with Councillor(s):					
Councillor:	Jim Karygiannis				
Contact Name:	Jim Karygiannis				
Contacted by	Phone	<input checked="" type="checkbox"/>	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 • March 2, 2016 				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail	Memo	Other
Comments:					

Consultation with other Division(s):			
Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Ron Budhu / Filisha Mohammed
Comments:		Comments:	Comments incorporated (March 4, 2016)
Real Estate Law Contact:	Deborah Boudreau	Date:	March 29, 2016



