

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:	Yaz Rabadi	Division:	Real Estate Services
Date Prepared:	May 13, 2016	Phone No.:	(416) 392-8159

Purpose:	To declare surplus the City-owned parcel of land adjacent to the property municipally known as 232 Viewmount Avenue, and to authorize the invitation of an offer to purchase the property from the owner of 232 Viewmount Avenue.										
Property:	Part of the vacant land abutting to the west of 232 Viewmount Avenue; being PT LT 140, 217-218, Plan 1766, Township of York, designated as PT 5 and 6 on Plan 64R8441; Township of York/North York, being part of PIN 10225-0154 (LT) and shown as Part 2 on Sketch No. PS-2014-067, attached as Appendix "B" (the "Property").										
Actions:	<ol style="list-style-type: none"> The Property be declared surplus and an offer to purchase the Property be invited from the owner of 232 Viewmount Avenue. Notice be published in a newspaper in circulation in the area of the Property and posted on the City's website. 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:	<p>The Property was acquired by expropriation in 1964 for and in connection with the Spadina Expressway and related works and undertakings. City Council, at its meeting on May 11 and 12, 2010, has authorized the disposal 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 [Report EX43.7 entitled "Delegation of Authority in Certain Real Estate matters"].</p> <p>On April 23, 1997, Corporate Administration Committee, declared both Parts 5 and 6 on Plan 64R8441 surplus to the City's requirements. The original intention was to offer a portion of these lands at market value to the abutting owner at 232 Viewmount Avenue, and to transfer the remainder to the City of North York for walkway purposes.</p> <p>In 2015 the Property Management Committee clarified the severance of these lands by recommending that the Property specifically be declared surplus, with the intended manner of sale to be by way of an invitation to purchase from the owner of 232 Viewmount Avenue. The Property Management Committee therefore recommended that Transportation Services dedicate the lands shown as Part 1 on Sketch No. PS-2014-067 for the protection of the existing sound barrier wall and walkway.</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. Toronto Water initially indicated that it required easement protection, but subsequently advised and confirmed that no easement protection is required. No other municipal interest was expressed. Staff of the Affordable Housing Office has determined that there is no interest in the Property for affordable housing purposes. 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"> <tr> <td>Ward:</td> <td>15 – Eglinton-Lawrence</td> </tr> <tr> <td>Assessment Roll No.:</td> <td>N/A</td> </tr> <tr> <td>Approximate Size:</td> <td>Irregular – 1.8 m x 42.7 m ± (3.9 ft x 140.1 ft ±)</td> </tr> <tr> <td>Approximate Area:</td> <td>293.7 m² ± (3,161.4 ft² ±)</td> </tr> <tr> <td>Other Information:</td> <td>Vacant Land – Unassessed</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:	15 – Eglinton-Lawrence	Assessment Roll No.:	N/A	Approximate Size:	Irregular – 1.8 m x 42.7 m ± (3.9 ft x 140.1 ft ±)	Approximate Area:	293.7 m ² ± (3,161.4 ft ² ±)	Other Information:	Vacant Land – Unassessed
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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:

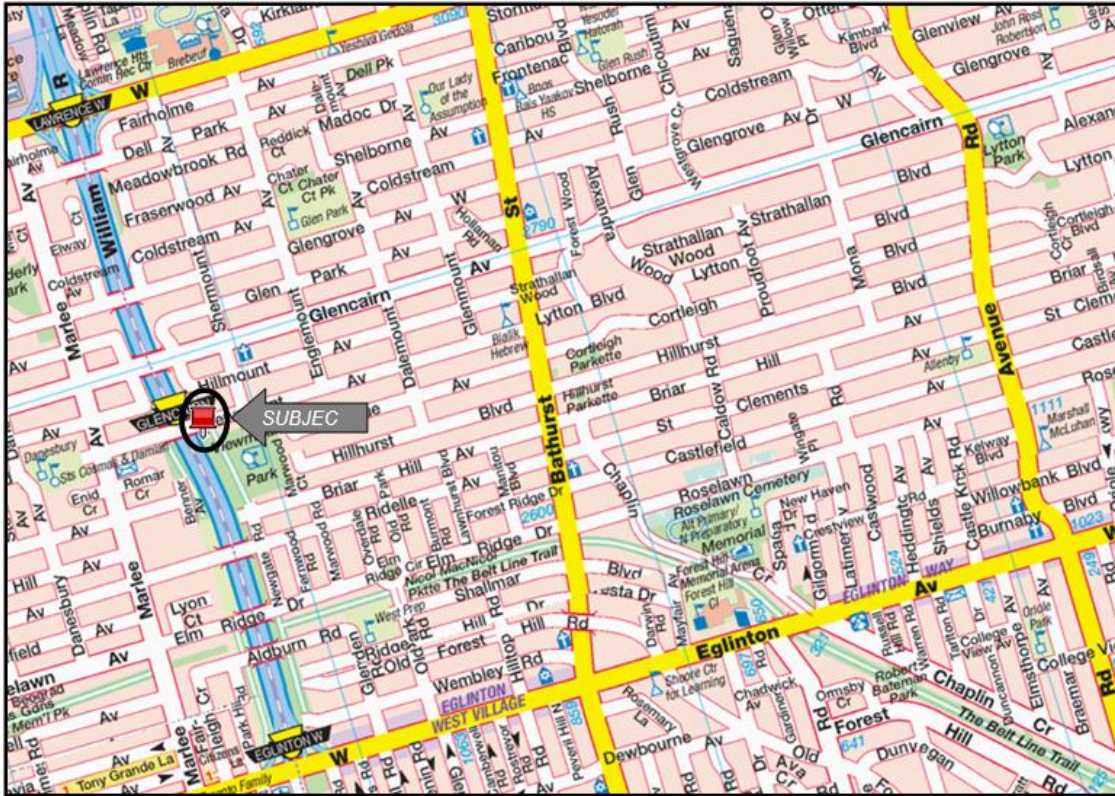
- A (1) declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
 - Councillor does not require 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 13, 2016	Tasse Karakolis
Director	May 17, 2016	Joe Casali
Chief Corporate Officer	May 18, 2016	Josie Scioli
Return to: Yaz Rabadi Real Estate Services Metro Hall, 55 John Street, 2 nd Floor (416)392-8159		
DAF Tracking No.: 2016-077		

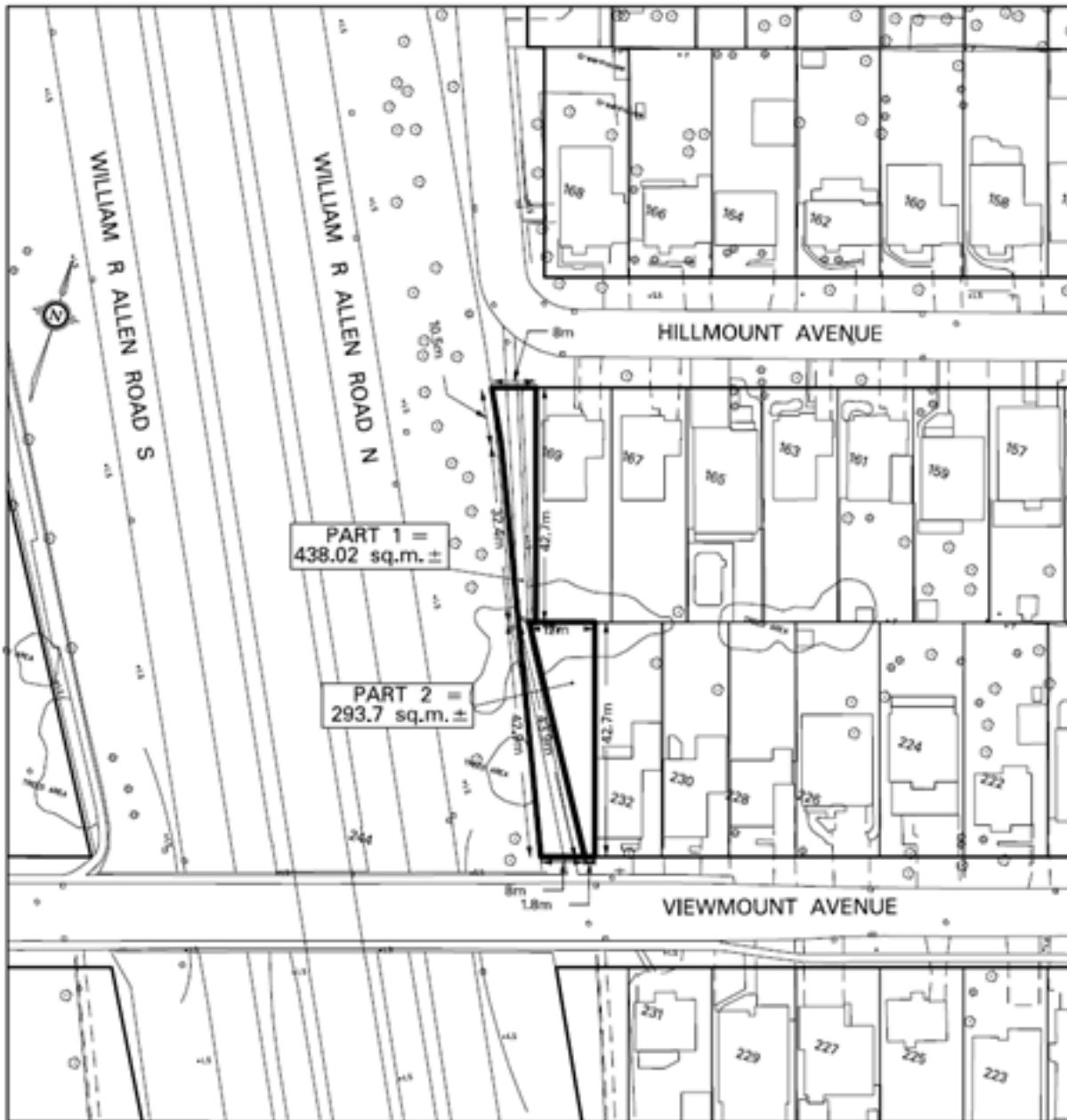
Consultation with Councillor(s):					
Councillor:	Councillor Josh Colle – May 13, 2016				
Contact Name:	Dustin Cohen				
Contacted by	Phone	<input checked="" type="checkbox"/>	E-mail	<input type="checkbox"/>	Memo
Comments:	<ul style="list-style-type: none"> • Concurs with recommendation • Does not require the matter to be determined by Council • Does not require further consultation re: public notice 				
Councillor:					
Contact Name:					
Contacted by	Phone	<input type="checkbox"/>	E-mail	<input type="checkbox"/>	Memo
Comments:					

Consultation with other Division(s):			
Division:	Toronto Water	Division:	Financial Planning
Contact Name:	Paul Albanese – March 16, 2016	Contact Name:	Felisha Mohammed – March 29, 2016
Comments:		Comments:	No objections – reviewed and approved
Real Estate Law Contact:	Eric Angelini	Date:	March 24, 2016

APPENDIX "A": LOCATION MAP & AERIAL PHOTO



APPENDIX "B": SKETCH NO. PS-2014-067



PROPERTY INFORMATION SHEET
CITY OWNED LAND ADJACENT TO
NO. 232 VIEWMOUNT AVENUE

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

CHECK BY JOHN HOUSE
PREPARED BY: DWAYNE PITT

WARD 15 - EGLINTON-LAWRENCE
DATE: JUNE 17, 2014

SKETCH No. PS-2014-067