



## DELEGATED APPROVAL FORM DECLARE SURPLUS

TRACKING NO.: 2017-030

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.

<b>Prepared By:</b>	Trixy Pugh	<b>Division:</b>	Real Estate Services										
<b>Date Prepared:</b>	January 31, 2017	<b>Phone No.:</b>	(416) 392-8160										
<b>Purpose:</b>	To amend Delegated Approval Form No. 2016-225, executed on November 23, 2016, by amending the potential purchaser's name from "Plazacorp" to "Stehel Corp. and Hillworth Corp."												
<b>Property:</b>	Vacant land located at 372 Briar Hill Avenue, being the West Part of Lot 108 on Plan M25 (the "Property").												
<b>Actions:</b>	<ol style="list-style-type: none"> <li>1. The intended manner of sale be revised to be by way of an invitation of an Offer to Purchase from Stehel Corp. and Hillworth Corp., two wholly owned subsidiaries of Plazacorp, each with fifty (50) percent ownership interest in the Property.</li> <li>2. Notice be published in a newspaper in circulation in the area of the Property and on the City's website.</li> <li>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.</li> </ol>												
<b>Financial Impact:</b>	<p>There are no financial implications resulting from this approval.</p> <p>The Deputy City Manager &amp; Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.</p>												
<b>Background:</b>	<p>The Property was previously declared surplus via DAF 2016-225, dated November 23, 2016.</p> <p>The Property was not acquired through expropriation proceedings. The Property was acquired by the former City of Toronto in 1951; it is now known as the Briar Hill Parkette. PF&amp;R was approached by Plazacorp who proposed a mutually beneficial land exchange. The City intends to enter into a Land Exchange Agreement with Steven Heller, Stehel Corp. and Hillworth Corp. in order to:</p> <ol style="list-style-type: none"> <li>(a) acquire a residential property at 402 Roselawn Avenue from Steven Heller, who is an officer and director of both Stehel Corp. and Hillworth Corp., as well as an officer of Plazacorp; and in return,</li> <li>(b) sell the Property to Stehel Corp. and Hillworth Corp., which are wholly owned subsidiaries of Plazacorp and will take title to the Property, each with a fifty (50) percent ownership interest.</li> </ol>												
<b>Comments:</b>	DAF No. 2016-225 states that the intended manner of sale is to invite an Offer to Purchase from Plazacorp. However Plazacorp's representatives have advised that two of its wholly owned subsidiaries, Stehel Corp. and Hillworth Corp., will take title to the Property instead for tax reasons. All other terms as approved by DAF No. 2016-225 remain unchanged.												
<b>Property Details:</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;"><b>Ward:</b></td> <td>16 – Eglinton-Lawrence</td> </tr> <tr> <td><b>Assessment Roll No.:</b></td> <td>1904-11-5-030-08900</td> </tr> <tr> <td><b>Approximate Size:</b></td> <td>6.7 m x 40.6 m ± (22.91 ft x 133.33 ft ±)</td> </tr> <tr> <td><b>Approximate Area:</b></td> <td>283.8 m<sup>2</sup> ± (3,055 ft<sup>2</sup> ±)</td> </tr> <tr> <td><b>Other Information:</b></td> <td></td> </tr> </table>			<b>Ward:</b>	16 – Eglinton-Lawrence	<b>Assessment Roll No.:</b>	1904-11-5-030-08900	<b>Approximate Size:</b>	6.7 m x 40.6 m ± (22.91 ft x 133.33 ft ±)	<b>Approximate Area:</b>	283.8 m <sup>2</sup> ± (3,055 ft <sup>2</sup> ±)	<b>Other Information:</b>	
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<b>Other Information:</b>													
	<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	Feb. 7, 2017	Nick Simos
Director	Feb. 13, 2017	Joe Casali
Chief Corporate Officer	Feb. 14, 2017	Josie Scioli
<b>Return to:</b> <b>Trixy Pugh</b> <b>Real Estate Services</b> <b>Metro Hall, 55 John Street, 2<sup>nd</sup> Fl</b> <b>(416) 392-8160</b>		
<b>DAF Tracking No.: 2017-030</b>		

Consultation with Councillor(s):					
Councillor:	Christin Carmichael-Greb				
Contact Name:	Jonathan Kent (Jan 27, 2017)				
Contacted by	Phone	<input checked="" type="checkbox"/>	E-mail	Memo	Other
Comments:	<ul style="list-style-type: none"> <li>Concurs with recommendation</li> <li>Does not require the matter to be determined by Council</li> <li>Does not require further consultation re: public notice</li> </ul>				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail	Memo	Other
Comments:					

Consultation with other Division(s):			
Division:	PF&R	Division:	Financial Planning
Contact Name:	Mark Filice	Contact Name:	Filisha Mohammed
Comments:	Incorporated into DAF (Jan 27, 2017)	Comments:	Incorporated into DAF
Real Estate Law Contact:	Nicole See-Too/Catherine Thomas (Jan 27, 2017)	Date:	Jan 27, 2017

Appendix "A": Location Map & Sketch

