

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:	Mike Saffran	Division:	Real Estate Services
Date Prepared:	May 1, 2017	Phone No.:	416-392-7205
Purpose:	To declare surplus a City-owned public lane located at the rear of 738 to 782 Bathurst Street, extending between Bloor Street West and Lennox Street, conditional on City Council approving the permanent closure of the public lane, and to authorize the invitation of an offer to purchase the lane from the adjoining owner of 571-592 Bloor W., 738-782 Bathurst St. (except 756 and 758 Bathurst St.), 26-38 Lennox St., 581-603 and 588-612 Markham St. (the "Adjoining Owner").		
Property:	The public lane located at the rear of 738 to 782 Bathurst Street, extending between Bloor Street West and Lennox Street, legally described as Lane on Plan 93, Toronto North of Lennox Street, Between Markham Street and Bathurst Street, and shown as Part 1 on Sketch No. PS-2015-144 attached as Appendix "A" (the "Lane").		
Actions:	<ol style="list-style-type: none"> 1. The Lane be declared surplus, conditional upon City Council approving the permanent closure of the Lane, subject to the reservation of an easement for the existing Toronto Water catch basin and catch basin lead, and an offer to purchase the Lane be invited from the Adjoining Owner. 2. Notice be published in a newspaper in circulation in the area of the Lane and be 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. The Deputy City Manager & Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.		
Background:	<p>The Lane is a public lane running north-south from Bloor Street West to Lennox Street and located at the rear of 738 to 782 Bathurst Street. The Adjoining Owner has requested Transportation Services to close the Lane and has expressed interest in purchasing the Lane for incorporation into and redevelopment with its land holdings comprising 571-592 Bloor W., 738-782 Bathurst St. (except 756 and 758 Bathurst St.), 26-38 Lennox St., 581-603 and 588-612 Markham St.</p> <p>The Lane was not acquired through expropriation proceedings.</p>		
Comments:	<p>Transportation Services has reviewed the feasibility of permanently closing the Lane and advises that it has no objection to the proposed closure, subject to City Council approving the permanent closure of the Lane. An easement will need to be reserved by the City for the Toronto Water catch basin and catch basin lead within the Lane. In addition, easements will have to be granted to protect the existing Toronto Hydro assets, Bell Canada infrastructure at the north end of the Lane, and a Roger's Cable TV plant at the south end of the Lane.</p> <p>A circulation to the City's ABCDs was undertaken to ascertain whether or not there is any municipal interest in retaining the Lane. No municipal interest in retaining the Lane was expressed, save for the Toronto Water required easement. Staff of the Affordable Housing Office has determined that there is no interest in the Lane for affordable housing. Accordingly, it is appropriate that the Lane be declared surplus. The Property Management Committee has reviewed this matter and concurs.</p>		
Property Details:	Wards:	19 – Trinity-Spadina and 20 – Trinity-Spadina	
	Assessment Roll No.:	N/A	
	Approximate Size:	Frontage: 6.1 m ± (20 ft) x Depth: 129.4 ± (424.5 ft)	
	Approximate Area:	789 m ² ± (8,493 ft ² ±)	
	Other Information:	Public Lane	
	<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	May 8, 2017	Nick Simos
Director Joe Casali	May 15, 2017	Joe Casali
Chief Corporate Officer Josie Scioli	May 19, 2017	Josie Scioli
Return to: Mike Saffran, Property Officer Metro Hall, 2 nd floor		
DAF Tracking No.: 2017- 087		

Consultation with Councillor(s):	
Councillor:	Mike Layton
Contact Name:	Michal Hay
Contacted by	<input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> 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 Concurs with submission of DAF – May 1, 2017
Councillor:	Joe Cressy
Contact Name:	Lia Brewer
Contacted by	<input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> 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 Concurs with submission of DAF – May 1, 2017

Consultation with other Division(s):			
Division:	Transportation Serv/ Tor Water/ Planning	Division:	Financial Planning
Contact Name:	L Roberston / P Albanese / Graig Uens	Contact Name:	Filishia Jenkins
Comments:	Apr 25/17 / Apr 10/17 / Apr 24/17 Provided comments & concurs with DAF.	Comments:	Concurs with Financial Impact Statement – Apr 24/17
Real Estate Law Contact:	Vanessa Bacher	Date:	April 10, 2017

Appendix "A"





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

CHECK BY JOHN HOUSE
 PREPARED BY: DRYANNE RYTT

PROPERTY INFORMATION SHEET

**PROPOSED CLOSURE AND SALE OF THE
 PUBLIC LANE AT THE REAR OF
 738-782 BATHURST STREET, EXTENDING BETWEEN
 BLOOR STREET WEST AND LENNOX STREET**

WARD 19 - TRINITY-SPADINA
 DATE: NOVEMBER 12, 2015

SKETCH No. PS-2015-144