

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>	Mike Saffran	<b>Division:</b>	Real Estate Services
<b>Date Prepared:</b>	March 10, 2017	<b>Phone No.:</b>	(416) 392-7205
<b>Purpose:</b>	To declare surplus a portion of 1073 Millwood Road, subject to the reservation of an easement in favour of the City of Toronto over said portion for sewer purposes, with the intended manner of disposal to be by way of an invitation of an offer to purchase from the owner of the adjacent lands, identified as 3-5 Southvale Drive (the "Owner"). This disposal shall form part of a land exchange with the Owner.		
<b>Property:</b>	A portion of 1073 Millwood Road, closed by By-law No. 1675 as in Instrument No. TL38940, being part of PIN 10382-0153 (LT) and shown as Parts 4, 5 and 6 on Draft Plan No. 2836-4R, dated February 1, 2017 (the "Draft Plan") on attached Appendix "A", subject to a prescriptive easement in favour of the Owner over Part 6 on the Draft Plan (the "Property").		
<b>Actions:</b>	<ol style="list-style-type: none"> <li>1. The Property be declared surplus, subject to the reservation of an easement for Toronto Water over the Property, with the intended manner of disposal to be by way of an exchange of land with the Owner, conditional upon the Chief Planner &amp; Executive Director and the GM of Parks, Forestry &amp; Recreation confirming that the land being acquired by the City in the exchange is nearby land of equivalent or larger area and comparable or superior green space utility.</li> <li>2. Notice be published in a newspaper in circulation in the area of the Property.</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>	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.		
<b>Background:</b>	The Owner (Shane B Inc.) would like to acquire the Property for incorporation into its development site which includes 3 and 5 Southvale Drive. The Property is located in the Parks and Open Space Areas of the Official Plan. It is proposed that a triangular shaped parcel of the Owner's development site located at the southeast corner of 3 Southvale Drive (Part 3 on the Draft Plan) be exchanged for the Property. This exchange of land would square off the Owner's development parcel providing a more normalized, usable development parcel. It would also provide an enhanced corridor from Southvale Drive to the main building entrance of the Leaside Memorial Gardens recreation complex, as well as an enhanced pedestrian environment to this City-owned facility. The Property was not acquired through expropriation proceedings.		
<b>Comments:</b>	<p>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 has advised that there is a 900 mm diameter combined sewer located in the Property and an easement will be reserved to protect such infrastructure. The Owner has a prescriptive easement over a portion of 1073 Millwood Road designated as Parts 6, 7 and 8 on the Draft Plan (the "Access Easement") for access to 3 Southvale Drive. The Owner's release of the Access Easement will be a condition of the proposed land exchange.</p> <p>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.</p>		
<b>Property Details:</b>	<b>Ward:</b>	26 – Don Valley West	
	<b>Assessment Roll No.:</b>	Part of 1904-03-2-220-05210	
	<b>Approximate Size:</b>	Irregular shaped	
	<b>Approximate Area:</b>	132.7 m <sup>2</sup> ± (1428.42 ft <sup>2</sup> ±)	
	<b>Other Information:</b>		
	<input checked="" type="checkbox"/> Yes <input 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 Nick Simos	Mar. 10, 2017	Nick Simos
Director Joe Casali	Mar. 14, 2017	Joe Casali
Chief Corporate Officer Josie Scioli	Mar. 15, 2017	Josie Scioli
<b>Return to:</b>		
Mike Saffran (392-7205) Real Estate Services 2 <sup>nd</sup> Floor, Metro Hall		
<b>DAF Tracking No.: 2017 - 014</b>		

Consultation with Councillor(s):						
Councillor:	Jon Burnside					
Contact Name:	Angela Glor					
Contacted by	<input checked="" type="checkbox"/> Phone	<input checked="" type="checkbox"/> E-mail	<input type="checkbox"/> Memo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Other
Comments:	<ul style="list-style-type: none"> <li>Concurs with recommendation – March 8, 2017</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	<input type="checkbox"/> Phone	<input type="checkbox"/> E-mail	<input type="checkbox"/> Memo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Other
Comments:						

Consultation with other Division(s):			
Division:	Toronto Water/ Parks, Forestry & Recreation	Division:	Financial Planning
Contact Name:	Paul Albanese / David Douglas & Mark Felice	Contact Name:	Filisha Mohammed
Comments:	Concurs – Mar 8/17/ Concurs – Mar 6/17	Comments:	Concurs with Financial Impact Statement – Mar 6/17
Real Estate Law Contact:	Nicole See-Too	Date:	March 2, 2017

Appendix "A"



