



DELEGATED APPROVAL FORM DECLARE SURPLUS

TRACKING NO.: 2016-057

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:	March 16, 2016	Phone No.:	(416) 392-8159										
Purpose:	To declare surplus the City-owned parcel of land adjacent to the property municipally known as 459 Blackthorn Avenue, and authorize the invitation of an offer to purchase the property from the owner of 459 Blackthorn Avenue.												
Property:	Vacant land adjacent to the north of 459 Blackthorn Avenue, legally described as Lot 284 on Plan 1896, Township of York, Toronto (York), City of Toronto, being all of PIN 10487-0417 (R), shown as Parts 1 and 2 on the draft reference plan attached as Appendix "B" (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 the owner of 459 Blackthorn Avenue. 2. Notice be published in a newspaper in circulation in the area of the Property 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 Property was not acquired through expropriation proceedings.</p> <p>The Property was acquired by the former Township of York by way of a Tax Deed registered on November 9, 1932. In 2011, the previous owner of 459 Blackthorn Avenue expressed concern over slope erosion as well as encroachment issues by the owners immediately to the north of the Property. In 2014, ownership of 459 Blackthorn Avenue changed hands, and the new owner has expressed interest in acquiring the Property for incorporation into their side yard.</p>												
Comments:	<p>A circulation to the City's ABCDs 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 have determined that there is no interest in the Property for affordable housing. Toronto Hydro has advised that it requires an easement over a portion of the Property (shown as Part 2 on the draft plan attached as Appendix "B"), for protection of an existing guy wire. Accordingly, it is appropriate that the Property be declared surplus, an easement be granted to Toronto Hydro for the protection of its infrastructure, and an offer to purchase the Property be invited from the owners of 459 Blackthorn Avenue.</p> <p>The Property Management Committee has reviewed this matter and concurs.</p>												
Property Details:	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Ward:</td> <td>12 - York South-Weston</td> </tr> <tr> <td>Assessment Roll No.:</td> <td>1914-05-1-280-01100</td> </tr> <tr> <td>Approximate Size:</td> <td>4.67 m x 35.79 m ± (15.3 ft x 117.4 ft ±)</td> </tr> <tr> <td>Approximate Area:</td> <td>171.5 m² ± (1,846.1 ft² ±)</td> </tr> <tr> <td>Other Information:</td> <td>Vacant Land</td> </tr> </table>			Ward:	12 - York South-Weston	Assessment Roll No.:	1914-05-1-280-01100	Approximate Size:	4.67 m x 35.79 m ± (15.3 ft x 117.4 ft ±)	Approximate Area:	171.5 m ² ± (1,846.1 ft ² ±)	Other Information:	Vacant Land
Ward:	12 - York South-Weston												
Assessment Roll No.:	1914-05-1-280-01100												
Approximate Size:	4.67 m x 35.79 m ± (15.3 ft x 117.4 ft ±)												
Approximate Area:	171.5 m ² ± (1,846.1 ft ² ±)												
Other Information:	Vacant Land												
	<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:

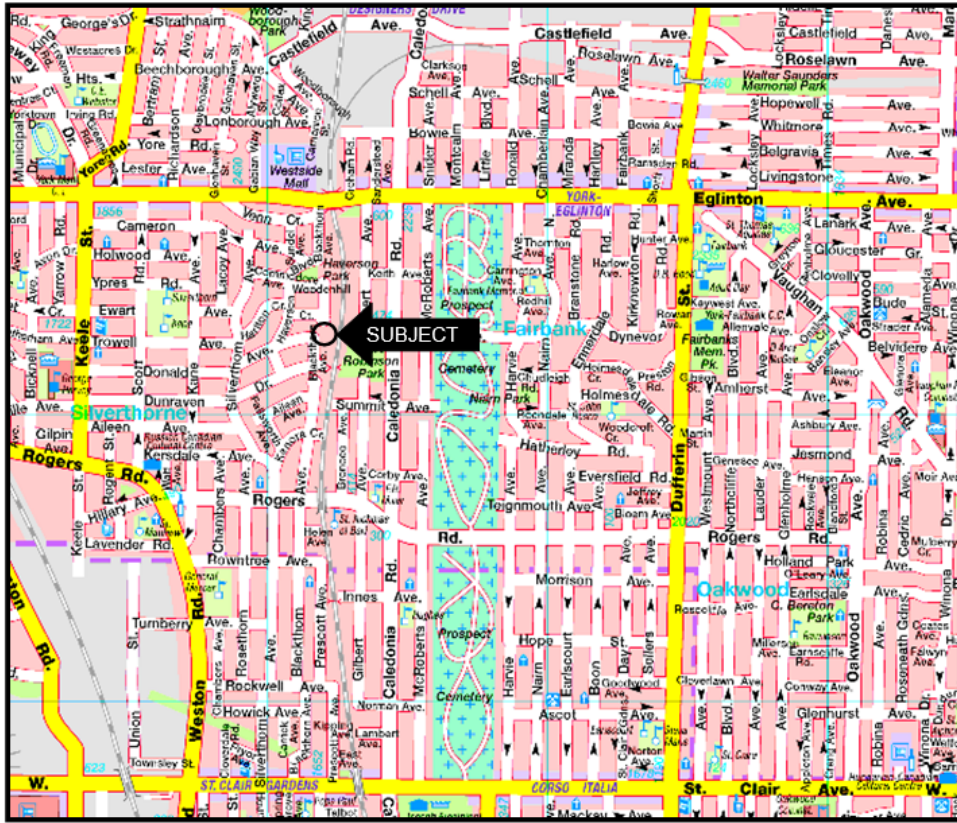
- A (1)** declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
 - Councillor does not require 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	March 16, 2016	Tasse Karakolis
Director	March 17, 2016	Joe Casali
Chief Corporate Officer	March 21, 2016	Josie Scioli
Return to: Yaz Rabadi Real Estate Services Metro Hall, 55 John Street, 2 nd Floor (416) 392-8159		
DAF Tracking No.: 2016-057		

Consultation with Councillor(s):	
Councillor:	Councillor Frank Di Giorgio – August 11, 2015 & March 10, 2016
Contact Name:	Nicola Faieta
Contacted by	Phone <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	[to obtain Councillor concurrence to the following:] <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 <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	

Consultation with other Division(s):			
Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Ron Budhu
Comments:		Comments:	No objections – reviewed and approved
Real Estate Law Contact:	Nicole See-Too – March 10, 2016	Date:	March 14, 2016

APPENDIX "A": LOCATION MAP & AERIAL PHOTO



APPENDIX "B": DRAFT REFERENCE PLAN

