

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:	Irina Fofanova	Division:	Real Estate Services
Date Prepared:	January 16, 2018	Phone No.:	416-397-0806

Purpose: To declare surplus the public lane extending between Blackbush Drive and Netherly Drive and adjacent to the properties municipally known as 31 and 33 Blackbush Drive as well as to the properties municipally known as 23 and 30 Netherly Drive (the "Public Lane"), conditional upon City Council approving the permanent closure of the Public Lane and subject to all required easements, and to authorize the invitation of offers to purchase the Public Lane from the owners of the above mentioned properties (the "Adjoining Owners").

Property: The public lane extending between Blackbush Drive and Netherly Drive, Toronto, legally described as PCL PLAN-1, SEC M1040 Public Lane, Plan M1040 Etobicoke, City of Toronto, shown as Parts 1 to 4 on Sketch No. PS-2017-002 on the attached Schedule "B".

- Actions:**
1. The Public Lane be declared surplus conditional upon City Council approving the permanent closure of the Public Lane and offers to purchase the Public Lane be invited from the Adjoining Owners in a manner designed, in the opinion of staff, to ensure that the City is not left owning any remnant parts of the Public Lane.
 2. Notice be published in a newspaper in circulation in the area of the Public Lane and 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 Acting Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.

Background: The Public Lane was not acquired through expropriation proceedings. Rather, it was created as a public lane by Subdivision Plan M-1040 in 1964.

The proposed closure of the Public Lane was requested by the owner of the property municipally known as 33 Blackbush Drive, on behalf of the owners of the properties municipally known as 31 Blackbush Drive, 23 Netherly Drive and 30 Netherly Drive. The Public Lane has been fenced off at either end for many years but the Public Lane nevertheless continues to attract disruptive activities. The Public Lane will be sold to one or more of the Adjacent Owners at fair market value in a manner that does not result in the City owning remnant, landlocked parts.

Comments: Transportation Services has reviewed the matter and has no objections with the proposed closure of the Public Lane.

A circulation to the City's ABCDs was undertaken to ascertain whether or not there is any municipal interest in retaining the Public Lane. No municipal interest was expressed. Staff of the Affordable Housing Office has determined that there is no interest in the Walkway for affordable housing. Accordingly, it is appropriate that the Public Lane be declared surplus.

The Property Management Committee has reviewed this matter and concurs.

Property Details:

Ward:	1 – Etobicoke North
Assessment Roll No.:	
Approximate Size:	67 m x 3.0 m ± (219.8 ft x 9.84 ft ±)
Approximate Area:	201.0 m ² ± (2163.55 ft ² ±)
Other Information:	Public Walkway

Yes 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.

Deputy City Manager, Internal Corporate Services 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	Jan. 23, 2018	Signed by Nick Simos
Director	Jan. 31, 2018	Signed by David Jollimore
Deputy City Manager, Internal Corporate Services	Feb. 1, 2018	Signed by Josie Sciolli
Return to:		
DAF Tracking No.: 2018 - 032		

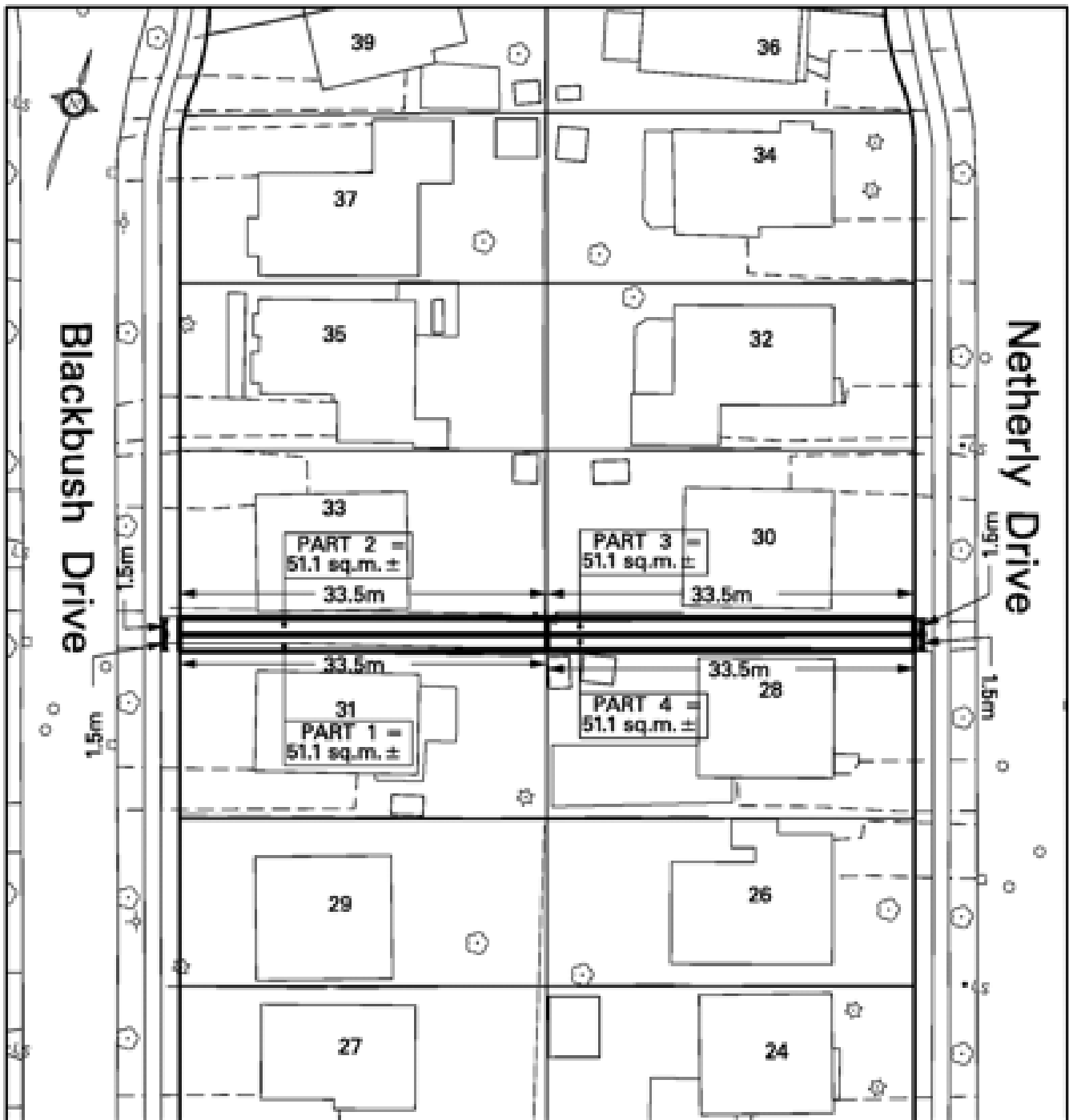
Consultation with Councillor(s):					
Councillor:	Vincent Crisanti – January 12, 2018				
Contact Name:	Alex Barbieri				
Contacted by	Phone	<input checked="" type="checkbox"/>	E-mail	Memo	Other
Comments:	<ul style="list-style-type: none"> • No objections with recommendation • Does not require the matter to be determined by Council • Does not require further consultation re: public notice 				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail	Memo	Other
Comments:					

Consultation with other Division(s):			
Division:	Transportation Services	Division:	Financial Planning
Contact Name:	Laurie Robertson – December 1, 2017	Contact Name:	Patricia Libardo – December 4, 2017
Comments:		Comments:	
Real Estate Law Contact:	Catherine Thomas – November 30, 2017	Date:	

SCHEDULE "A" - LOCATION MAP & AERIAL PICTURE



SCHEDULE "B" - PS SKETCH



NOTE:
THIS SKETCH HAS BEEN
COMPILED FROM OFFICE
RECORD MEASUREMENTS
AND IS APPROXIMATE

CHECK BY JOHN HOUSE
PREPARED BY DWAYNE PITT

PROPERTY INFORMATION SHEET
SKETCH SHOWING PUBLIC WALKWAY
EXTENDING BETWEEN BLACKBUSH DRIVE AND
NETHERLY DRIVE

WARD 1 - ETOBICOKE NORTH
DATE: JANUARY 11, 2017

SKETCH No. PS-2017-002