

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>	February 14, 2018	<b>Phone No.:</b>	(416) 392-7205

**Purpose:** To declare surplus a 5.0 foot wide strip of vacant City-owned land located adjacent to 505 Brookdale Avenue and to authorize the invitation of an offer to purchase the property from the adjoining owners of 505 Brookdale Avenue (the "Adjoining Owners").

**Property:** A 5.0 foot wide strip of vacant land, Part of Lot 127 on Plan 2371, Township of York Except NY110317; Toronto (North York), City of Toronto, shown as Part 1 on Sketch No. PS-2017-059, (the "Strip").

- Actions:**
1. The Strip be declared surplus with the intended manner of disposal being the invitation of an offer to purchase the Strip from the Adjoining Owners.
  2. Notice be published in a newspaper in circulation in the area of the Strip 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 Acting Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.

**Background:** The Strip is a narrow parcel of vacant land located between 503 Brookdale Avenue and 505 Brookdale Avenue. It was acquired by the City on December 15, 1938 as a result of municipal tax arrears.  
  
The Adjoining Owners as part of the redevelopment of their site discovered the Strip was not part of their lot and subsequently approached the City with a claim of adverse possession. However, the Strip was converted to Land Titles on July 29, 2002 and as such any assertion of adverse possession by the Adjoining Owners would need to be substantiated in a Court of Law and proven by factual evidence. The Adjoining Owners are now interested in acquiring the Strip at market value for inclusion with their existing lot.

**Comments:** A circulation to the City's ABCDs was undertaken to ascertain whether or not there is any municipal interest in retaining the Strip. No municipal interest was expressed. Staff of the Affordable Housing Office has determined that there is no interest in the Strip for affordable housing. Accordingly, it is appropriate that the Strip be declared surplus. The Property Management Committee has reviewed this matter and concurs.

<b>Property Details:</b>	<b>Ward:</b>	16 – Eglinton-Lawrence
	<b>Assessment Roll No.:</b>	N/A
	<b>Approximate Size (frontage):</b>	1.5 m x 4.92 ft m ±
	<b>Approximate Size (depth):</b>	33.5 m x 109.9 m ±
	<b>Approximate Area:</b>	51.0 m <sup>2</sup> ± (549.0 ft <sup>2</sup> ±)

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

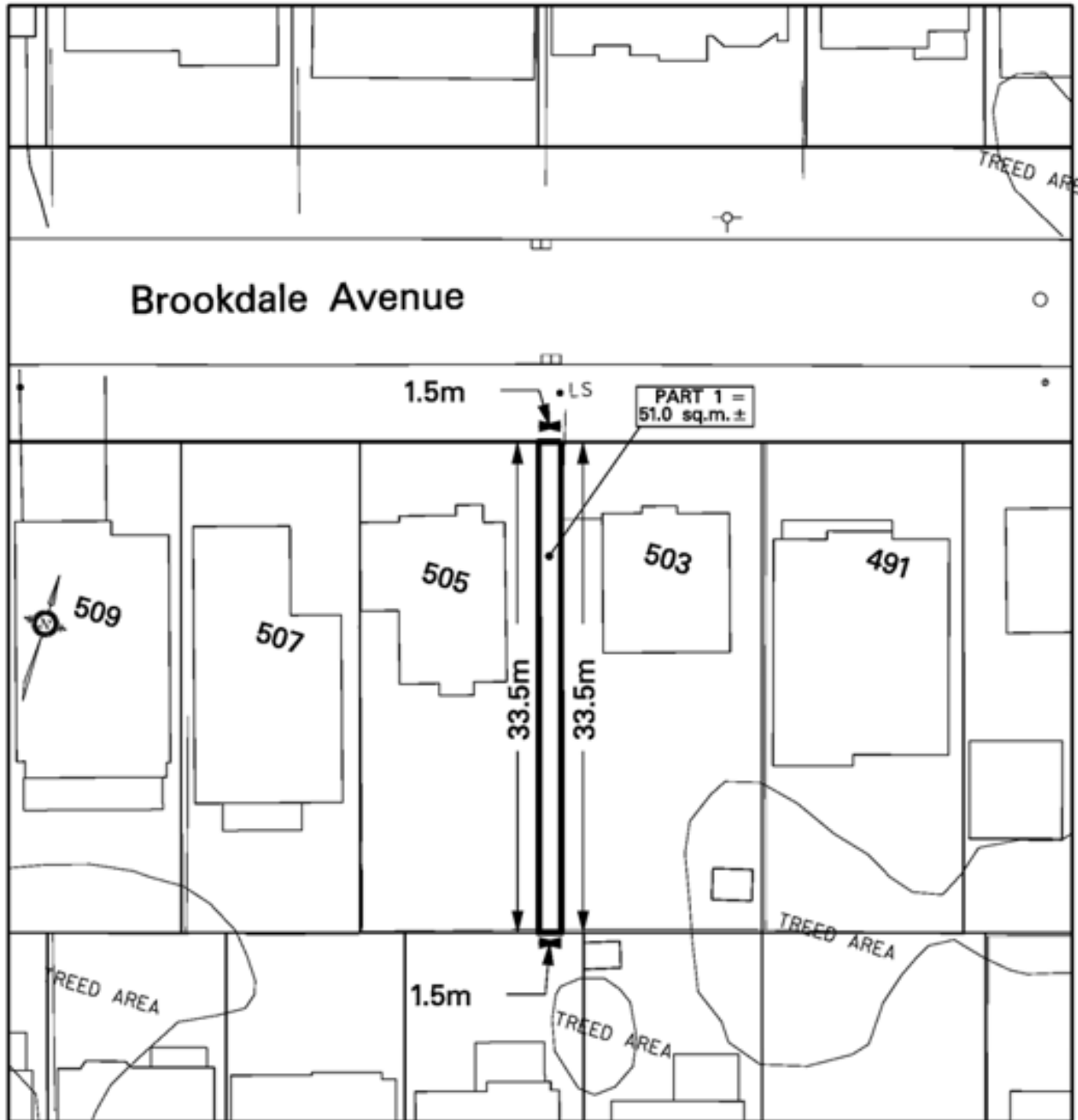
Title	Date	Recommended/ Approved
Manager, Nick Simos	February 15, 2018	Signed By: Nick Simos
Director, David Jollimore	February 16, 2018	Signed By: David Jollimore
Deputy City Manager, Internal Corporate Services, Josie Scioli	February 20, 2018	Signed By: Josie Scioli
<b>Return to:</b> Mike Saffran, Property Officer Metro Hall, 2 <sup>nd</sup> floor (416) 392-7205		
<b>DAF Tracking No.: 2018-034</b>		

Consultation with Councillor(s):	
Councillor:	Christin Carmichael Greb
Contact Name:	Jonathan Kent
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"> <li>• No objection – February 14, 2018</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"/> Other
Comments:	

Consultation with other Division(s):			
Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Patricia Libardo
Comments:		Comments:	Concurs with Financial Impact Statement – January 18, 2018
Real Estate Law Contact:	Lisa Davies	Date:	January 17, 2018

Appendix "A"





PROPERTY INFORMATION SHEET  
 CITY OWNED LAND BETWEEN  
 NOS. 503 AND 505 BROOKDALE AVENUE

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

CHECK BY JOHN HOUSE  
 PREPARED BY: DWAYNE PITT

WARD 18 - EGLINTON-LAWRENCE  
 DATE: MAY 26, 2017

SKETCH No. PS-2017-059