

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:	November 28, 2017	Phone No.:	(416) 392-7205

Purpose: To declare surplus the City-owned public lane known as Rodega Lane, conditional on City Council approving the permanent closure of the public lane, and to authorize the invitation of an offer to purchase the public lane from the adjoining owner at 65 King Street East (the "Owner"), subject to any required easements.

Property: The public lane located adjacent to 65 King Street East, shown as Part 1 on Sketch No. PS-2017-071, (the "Lane"), also shown on Appendix "A".

- Actions:**
1. The Lane be declared surplus, condition upon City Council approving the permanent closure of the Lane, and an offer to purchase the Lane be invited from the Owner, subject to any required easements.
 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 Acting Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.

Background: The Property was not acquired through expropriation proceedings. The subject property was established as a right-of-way by the registration of Plan D-151 in 1873 and dedicated for public lane purposes by By-Law 434-88. The Lane was named Rodega Lane by By-Law 882-2012.

In June of 2016, Carttera Management Inc. on behalf of the adjoining owner requested to close and purchase the public lane at the above-noted location, for the incorporation into their proposed development of a 18 storey office building at 65, 71-75, 79-81, 83-85 King Street East and 46 Colborne Street (collectively, "65 King Street East").

Comments: 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 was expressed.

Staff of the Affordable Housing Office has determined that there is no interest in the Lane for affordable housing.

Transportation Services has completed its review of the proposed closing and sale of Rodega Lane, shown as Part 1 on Sketch No. PS-2017-071 and has no objection, subject to the grant or retention of utility easements, if any.

The building at 17 Leader Lane/40 Colborne Street (the Tom Jones Steakhouse) encroaches onto the Lane. The City entered into an encroachment agreement with a prior owner of that property, registered as ES14919. This agreement will be assigned to the purchaser of the lane or will remain as an encroachment, as determined appropriate.

Accordingly, it is appropriate that the Property be declared surplus. The Property Management Committee has reviewed this matter and concurs.

Property Details:

Ward:	28 – Toronto Centre-Rosedale
Assessment Roll No.:	N/A
Approximate Size:	Irregular shape 17 m x 6.1 m ± (178 ft x 20.0 ft ±)
Approximate Area:	135.4 m ² ± (1,457.5 ft ² ±)
Other Information:	Current use – part of private surface parking lot

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:

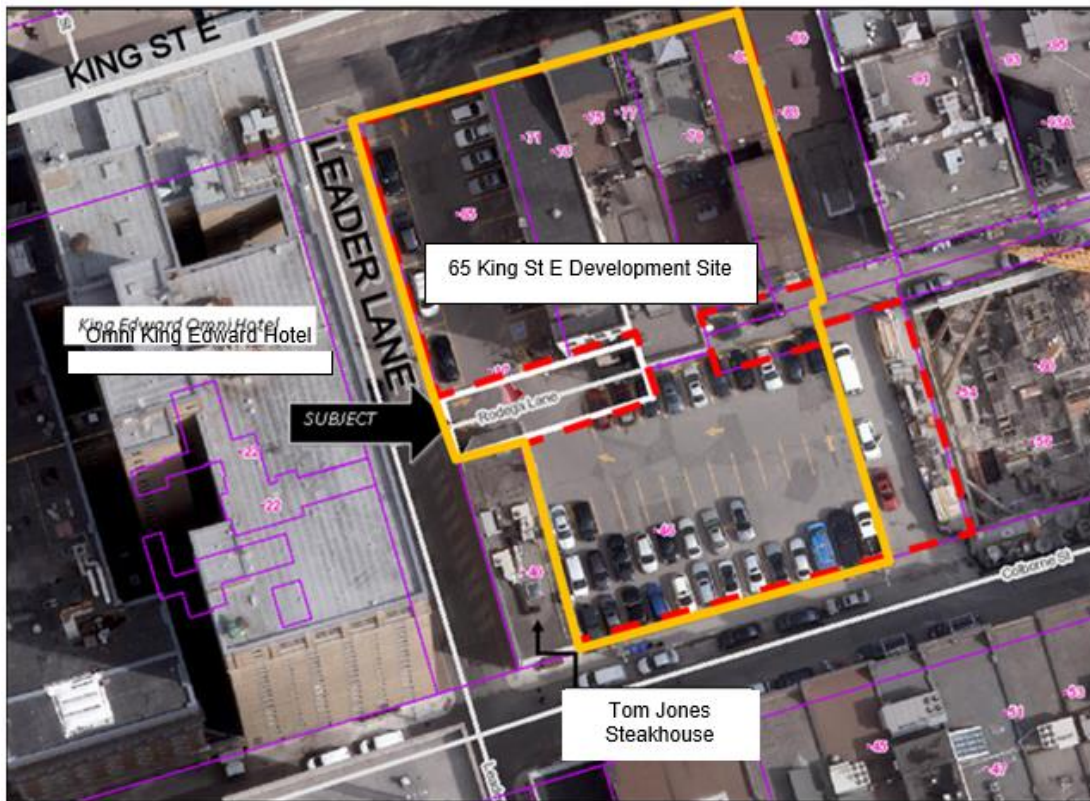
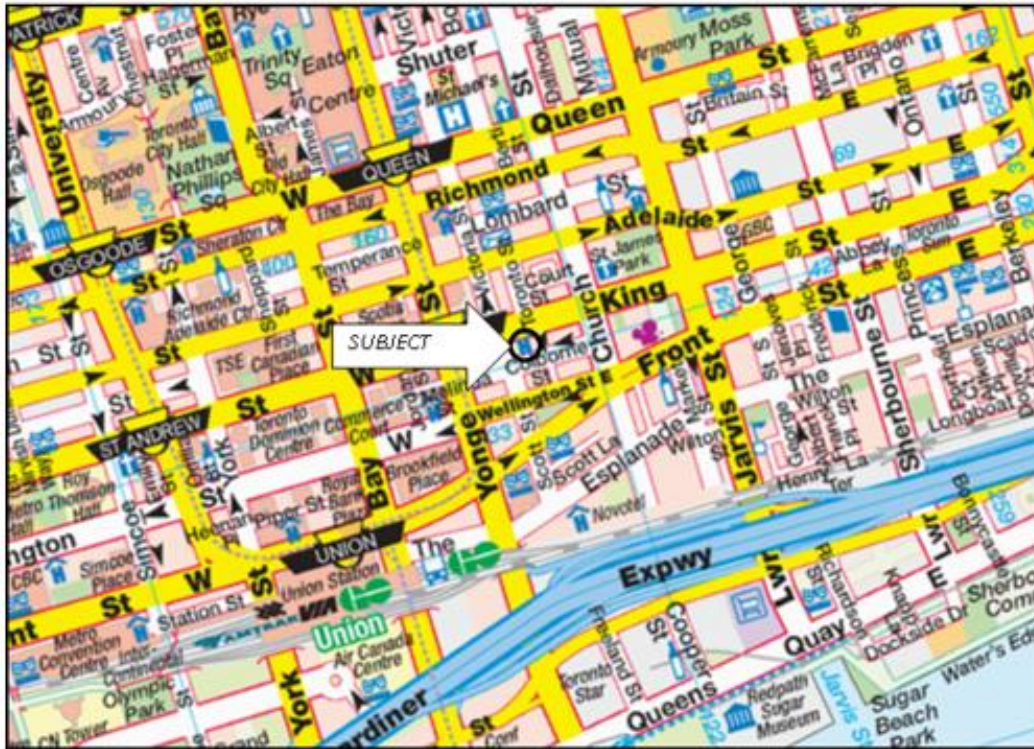
- A (1) declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
 - Councillor does not require 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
 - € 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
 - € 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
 - € 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

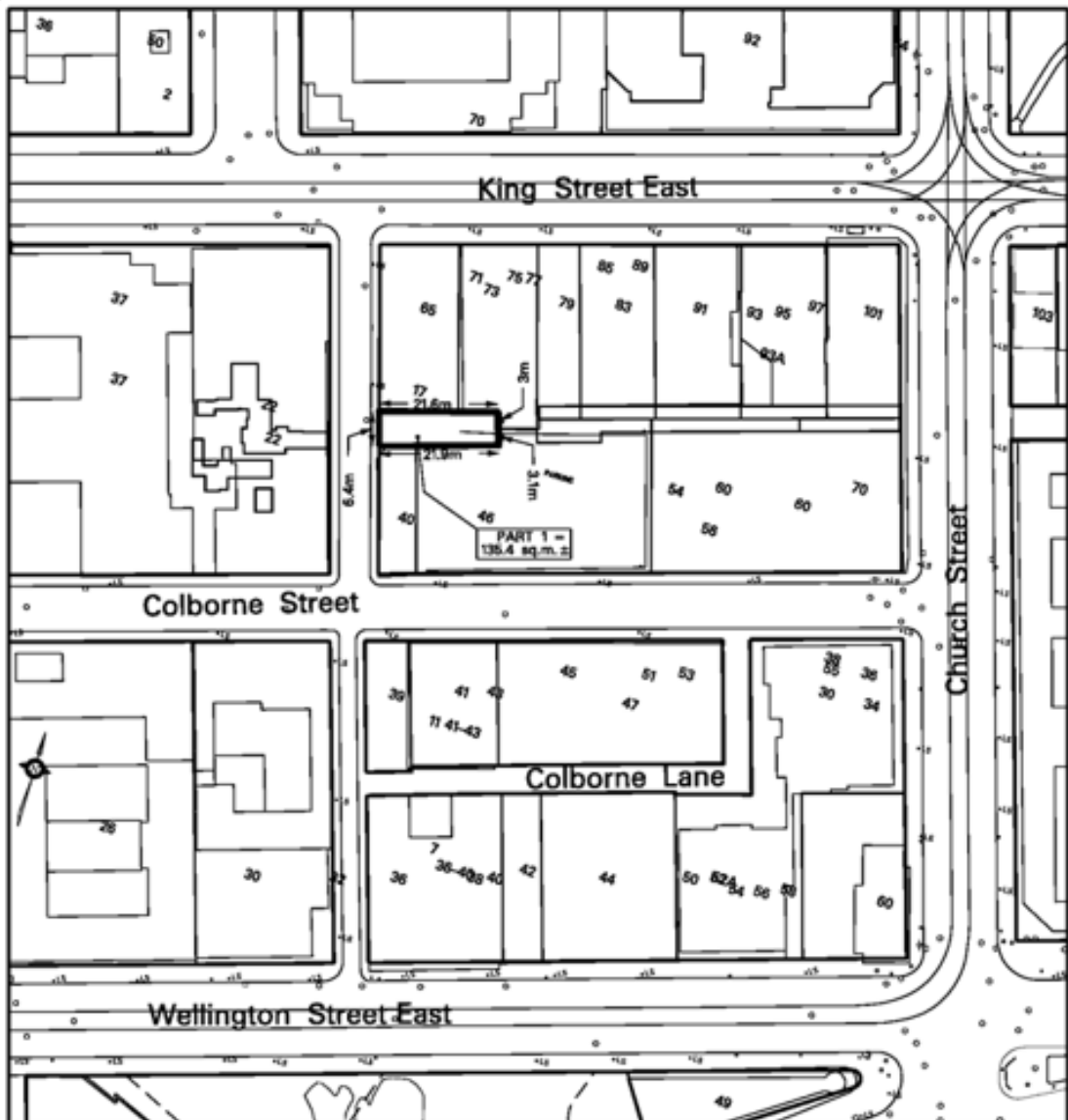
Title	Date	Recommended/ Approved
Manager, Nick Simos	Nov. 30, 2017	Signed by Nick Simos
Director, David Jollimore	Dec. 4, 2017	Signed by David Jollimore
Deputy City Manager, Internal Corporate Services	Dec. 4, 2017	Signed by Josie Sciolli
DAF 2017-296		
Return to: Mike Saffran, Property Officer Metro Hall, 2 nd floor (416) 392-7205		


Consultation with Councillor(s):						
Councillor:	Lucy Troisi					
Contact Name:	Tom Davidson					
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"> • No objections with recommendation – November 27, 2017 • Does not require the matter to be determined by Council • Does not require further consultation re: public 					
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:	Transportation Services / City Planning	Division:	Financial Planning
Contact Name:	L Robertson / Thomas Rees	Contact Name:	Patricia Libardo
Comments:	Comments incorporated –November 21, 2017	Comments:	Concurs with Financial Impact Statement – November 22, 2017
Real Estate Law Contact:	Vanessa Bacher	Date:	November 21, 2017

Appendix "A"





 <p>Toronto ENGINEERING & CONSTRUCTION SERVICES ENGINEERING SUPPORT SERVICES LAND & PROPERTY SERVICES</p>	<p>PROPERTY INFORMATION SHEET SKETCH SHOWING RODEGA LANE</p>	
	<p>NOTE: THIS SKETCH HAS BEEN COMPILED FROM OFFICE RECORDS. MEASUREMENTS ARE APPROXIMATE</p>	
	<p>CHECK BY JOHN HOUSE PREPARED BY: DWAYNE PITT</p>	<p>WARD 28 - TORONTO CENTRE-ROSEDALE DATE: JULY 05, 2017</p>