



## DELEGATED APPROVAL FORM DECLARE SURPLUS

TRACKING NO.: 2018-300

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:	Joseph Sergnese	Division:	Real Estate Services
Date Prepared:	August 14, 2018	Phone No.:	416-392-1857

**Purpose:** To declare surplus part of the City-owned parcel of land located at of 80 Dale Avenue, Toronto, being Parts 6 and 9 on the draft Reference Plan attached as Schedule "A" (the "Draft Plan"), with the intended manner of disposal to be by way of a land exchange with Podium Development Corp. ("Podium") for Parts 10 and 11 on the Draft Plan.

**Property:** Part of 80 Dale Avenue, Toronto, being Part of Lot 15, Concession D, Geographic Township of Scarborough, designated as Parts 6 and 9 on the Draft Plan attached as Schedule "A" (the "Property").

- Actions:**
1. The Property be declared surplus with the intended manner of disposal to be by way of an exchange of land with Podium, conditional upon Deputy City Manager, Internal Corporate Services approving that the land being exchanged is (i) nearby land of equivalent or larger area and (ii) of comparable or superior green space utility.
  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 Interim Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.

**Background:** The former Metropolitan Toronto acquired the Property in connection with the Scarborough Transportation Corridor (STC) project in 1986. Plans for the STC were abandoned in the 1970's.

The easterly portion of 80 Dale Avenue, shown as Parts 3, 4, 5, 7, 8 and 10 on the attached Draft Plan was transferred to Build Toronto Inc. ("Build Toronto") in December 2017. Podium is the successful proponent for the Build Toronto development site, and Podium acquired title to those parts on December 14, 2017. The westerly portion of 80 Dale Avenue, shown as Parts 1, 2, 6 and 9 on the attached Draft Plan are City-owned lands under the operation of Parks, Forestry and Recreation ("PF&R").

Parts 6 and 9 on the Draft Plan is designated as Parks and Open Space Areas in Policy 8 of the Official Plan.

Podium also acquired the property at 66 Dale Avenue, Toronto, shown as Parts 11 and 12 on the attached Draft Plan, and expressed interest in a land exchange with the City, exchanging Podium's Parts 10 and 11 for the City's lands shown as Parts 6 and 9 on the attached Draft Plan. The area of Parts 10 and 11 are equivalent to that of Parts 6 and 9, both being 1,212 m<sup>2</sup>.

**Comments:** For Comments, see Schedule "B" attached.

**Property Details:**

<b>Ward:</b>	36 – Scarborough Southwest
<b>Assessment Roll No.:</b>	
<b>Approximate Size:</b>	Irregular
<b>Approximate Area:</b>	1,202.2 m <sup>2</sup> ± (12,940.4 ft <sup>2</sup> ±)
<b>Other Information:</b>	

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	Aug. 16, 2018	Signed by Tim Park
Director	Aug. 16, 2018	Signed by David Jollimore
Deputy City Manager, Internal Corporate Services	Aug. 21, 2018	Signed by Josie Scioli
<b>Return to:</b>		
<b>DAF Tracking No.: 2018 -300</b>		

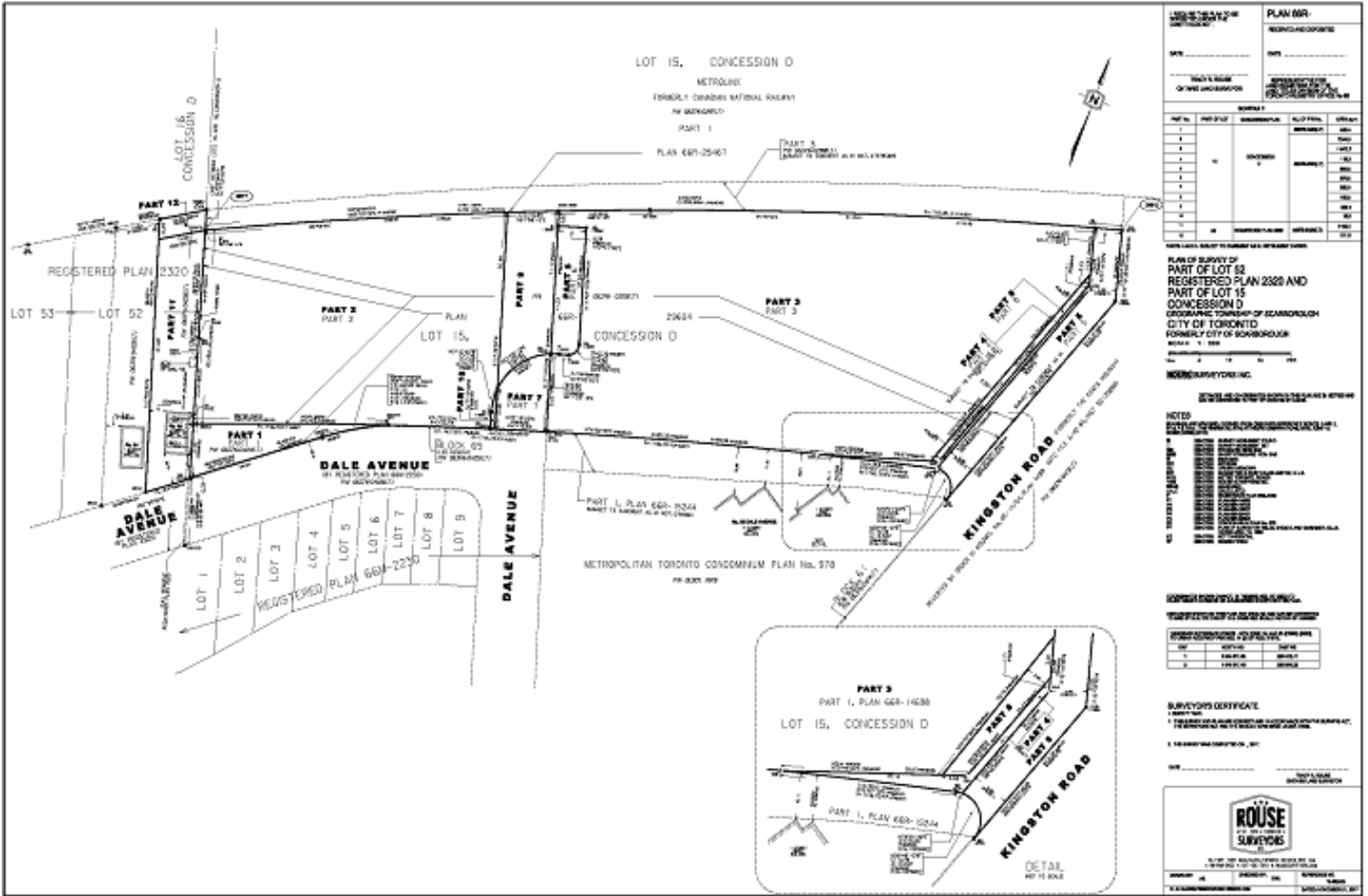
Councillor:	Gary Crawford				
Contact Name:	Gail Ross – August 14, 2018				
Contacted by	Phone	E-mail	Memo	Other	
Comments:	<b>[to obtain Councillor concurrence to the following:]</b> <ul style="list-style-type: none"> <li>No objections with recommendations</li> <li>Does not require the matter to be determined by Council</li> <li>Does not require further consultation re: public notice</li> </ul>				
Councillor:					
Contact Name:					
Contacted by	Phone	E-mail	Memo	Other	
Comments:					

**Consultation with Councillor(s):**

**Consultation with other Division(s):**

Division:	Legal Services	Division:	Financial Planning
Contact Name:	Shirley Chow	Contact Name:	Patricia Libardo
Comments:		Comments:	
Real Estate Law Contact:		Date:	

SCHEDULE "A" – DRAFT REFERENCE PLAN



## SCHEDULE "B"

Comments: Section 4.3 *Parks and Open Space Areas*, Policy 8 of the Official Plan states that the sale or disposal of publicly owned lands in POSA is discouraged and no City owned lands in POSA will be sold or disposed of. However, City owned land in POSA may be exchanged for other nearby land of equivalent or larger area and comparable or superior green space utility.

Podium is proposing to acquire Parts 6 and 9 on the Draft Plan from the City, in exchange for Parts 10 and 11 on the Draft Plan.

The Chief Planner and Executive of City Planning and the General Manger of PF&R have confirmed that the land being exchanged for Parts 6 and 9 on the Draft Plan is (i) nearby land of equivalent or larger area, and (ii) of comparable or superior greenspace utility. City Planning staff has advised that the proposed exchange of land meets the intent of Section 4.3, Policy 8 of the Official Plan.

The Property was not acquired through expropriation proceedings.

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 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.