

Approved pursuant to the Delegated Authority contained in Government Management Committee Item GM6.18 entitled "Policy with Respect to the Sale/Disposition of Land", as adopted by City Council on July 16, 17, 18 & 19, 2007. City of Toronto Municipal Code Chapter 213, Real Property, Sale of, adopted by By-law No. 814-2007.

Prepared By:	Mike Saffran	Division:	Real Estate Services
Date Prepared:	December 13, 2018	Phone No.:	(416) 392-7205
Purpose:	To declare surplus an east-west portion Perth Avenue that intersects lands that are the subject of a subdivision application, located west of Sterling Road, conditional on City Council approving the permanent closure of that portion of the public highway, and to authorize the invitation of an offer to purchase the public highway from the adjoining owner (the "Adjoining Owner"), subject to any required easements.		
Property:	A portion of public highway known as Perth Avenue, and shown approximately as Part 1 on Sketch No. PS-2018-013, (the "Highway"), also shown on Appendix "A".		
Actions:	<ol style="list-style-type: none"> 1. The Highway be declared surplus, conditional upon City Council approving the permanent closure of the Highway, and an offer to purchase the Highway be invited from the Adjoining Owner, subject to any required easements. 2. Notice be published in a newspaper in circulation in the area of the Highway 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:	<p>There are no financial implications resulting from this approval.</p> <p>The Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.</p>		
Background:	<p>The Highway is a portion of Perth Avenue running east to west to its connection with Sterling Road. The Adjoining Owner, Castlepoint Greybrook Sterling Inc. has requested Transportation Services to close the Highway and has expressed interest in purchasing the Highway. The realignment of the Highway is contemplated in development permissions previously granted to the Adjoining Owner through By-law No. 942-2015 (OMB) and By-law No. 943-2015 (OMB), as amended. The Highway is proposed to be incorporated in to a future park block to be conveyed to the City, pursuant to the development permissions. In addition, to implement the redevelopment and pursuant to the subdivision requirements, the Adjoining Owner will create a new extension and realignment of Perth Avenue, extending easterly from the south end of the Perth Avenue road allowance, and shown on Appendix "A" as Part 2 on Sketch No. PS-2018-013 which will include the conveyance and dedication of required lands as a public highway. The subdivision application (City File No. 12 226212 STE 18 SB) is under appeal at the Local Planning Appeal Tribunal (LPAT), but is the subject to settlement. Transportation Services has reviewed this request and has determined that the Highway is surplus to its requirements and can be permanently closed.</p> <p>The Highway was not acquired through expropriation proceedings.</p>		
Comments:	<p>A circulation to the City's Divisions and Agencies was undertaken to ascertain whether or not there is any municipal interest in retaining the Highway. The proposed conditions of draft plan approval contemplate City Council approval of the permanent closure of the Highway prior to registration of the plan of subdivision. The stopping-up, closure and sale of the Highway is conditional upon the construction, by the Adjoining Owner, of the extension and realignment of Perth Avenue, shown as Part 2 on the Sketch, acceptance by the City together with the conveyance of all required lands to the City and their dedication as a public highway. Once the Highway has been closed and conveyed to the Adjoining Owner, the development approvals contemplate that the lands will be remediated by the Adjoining Owner and conveyed back to the City in base park condition as part of a future park block.</p> <p>Staff of the Affordable Housing Office has determined that there is no interest in the Highway for affordable housing. Accordingly, it is appropriate that the Highway be declared surplus. The Technical Review Committee has reviewed this matter and concurs.</p>		
Property Details:	Ward:	18 - Davenport	
	Assessment Roll No.:	N/A	
	Approximate Size:	Irregular shaped – 50.7 m x 24.9 m ± (166.3 ft x 81.7 ft ±)	
	Approximate Area:	821.5 m ² ± (8,842.8 ft ² ±)	
	Other Information:	Public highway	
<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 General Manager 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 of City Planning and the General Manager 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, Corporate Services has approval authority for:

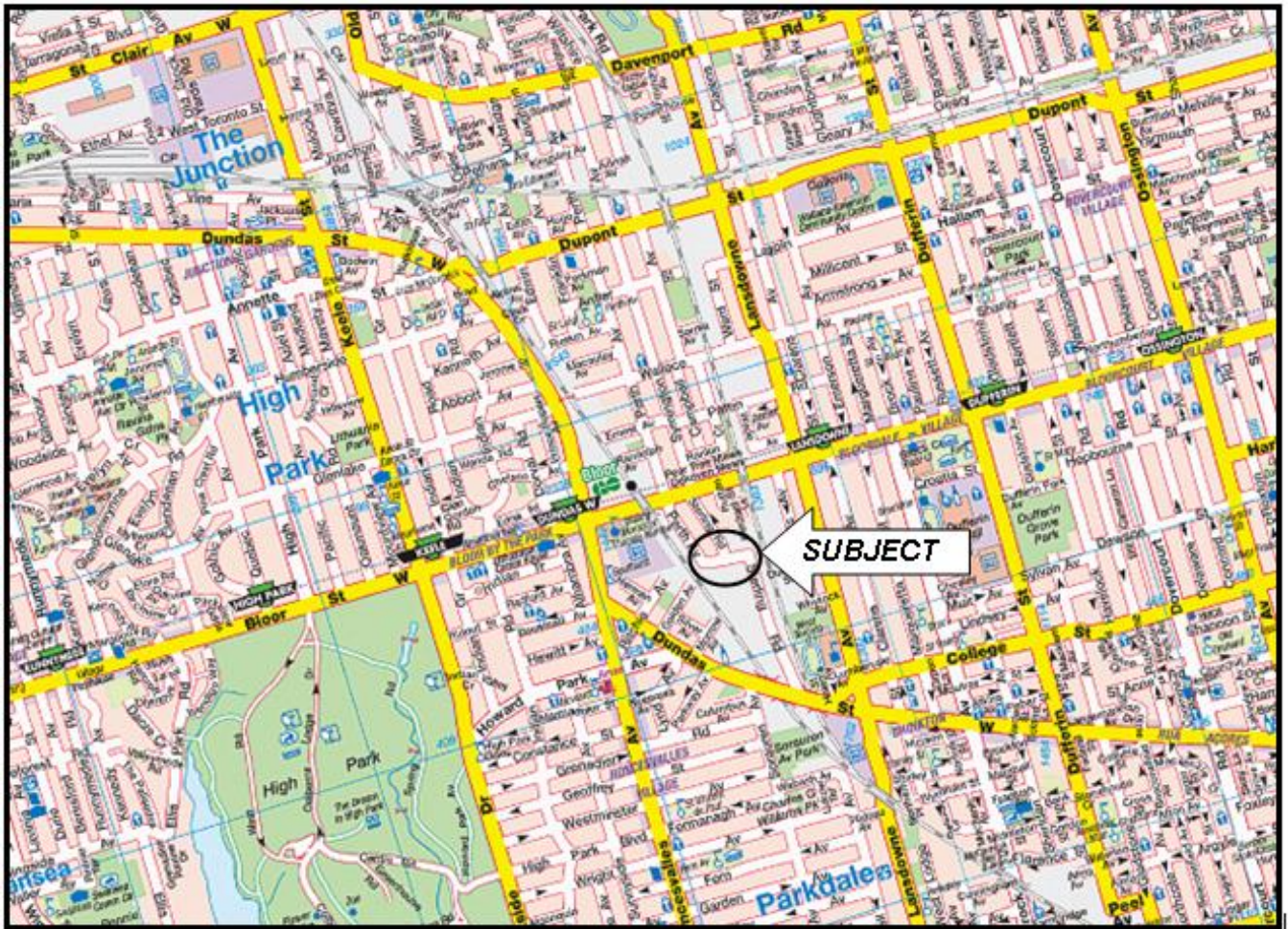
- A (1) declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
 - Councillor does not require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

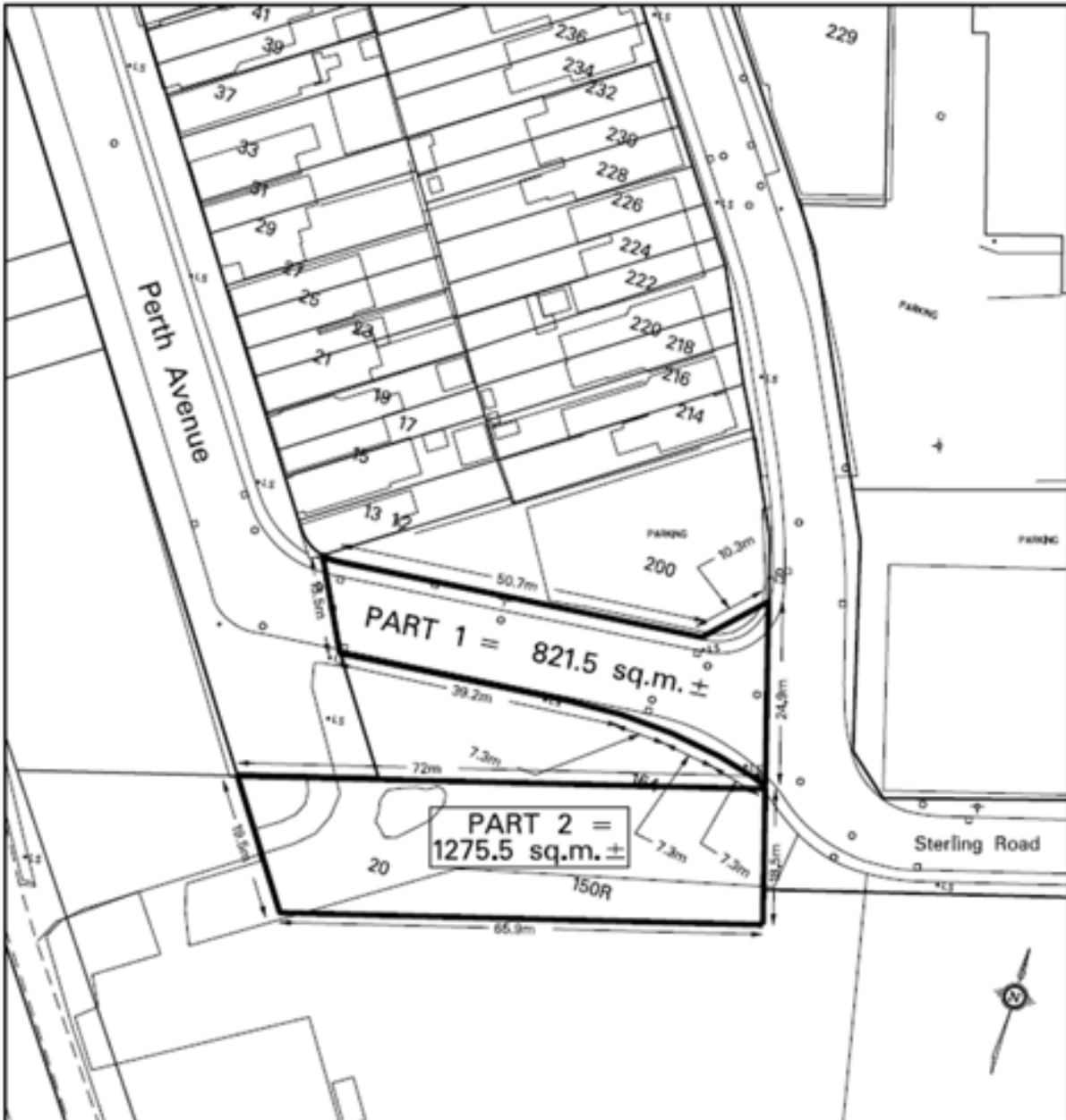
Title	Date	Recommended/ Approved
Manager, Daran Somas	Dec. 13, 2018	Signed by Daran Somas
Director, Tim Park	Dec. 14, 2018	Signed by Tim Park
Deputy City Manager, Corporate Services, Josie Scioli	Dec. 18, 2018	Signed by Josie Scioli
Return to: Mike Saffran, Real Estate Services Metro Hall, 2 nd floor (416) 392-7205 DAF Tracking No. 2018-334		

Consultation with Councillor(s):						
Councillor:	Ana Bailao					
Contact Name:	Michael Vieira					
Contacted by	<input checked="" type="checkbox"/> Phone	<input checked="" type="checkbox"/> E-mail	<input type="checkbox"/> Memo	<input type="checkbox"/> Other		
Comments:	-No objections with recommendations – Nov 29, 2018 - Does not require the matter to be determined by Council - Does not require further consultation re: public notice					
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:	Planning Law / Transp Services / ECS	Division:	Financial Reporting/ City Planning
Contact Name:	Leslie Forder /L Pawlowski /Greg Horgan	Contact Name:	Patricia Libardo Aviva Pelt Sue Macalpine
Comments:	Concurs with recommendations – November 28, 29, 30, 2018	Comments:	Concurs with FIS – Dec 3, 2018 Concurs with recs – November 29, 2018
Real Estate Law Contact:	Soo Kim Lee	Date:	November 20, 2018

Appendix "A" – Location Map, Aerial and Sketch No. PS-2018-013





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

CHECK BY JOHN HOUSE
PREPARED BY DWAYNE PET

PROPERTY INFORMATION SHEET
CITY OWNED LAND
SKETCH SHOWING A PORTION OF
PERTH AVENUE (PART 1) AND PROPOSED
ALIGNMENT OF PERTH AVENUE (PART 2)

WARD 18 – DAVENPORT
DATE: FEBRUARY 05, 2018

SKETCH No. PS-2018-013