

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:	Trixy Pugh	Division:	Real Estate Services
Date Prepared:	January 2, 2019	Phone No.:	(416) 392-8160
Purpose:	To amend Delegated Approval Form No. 2017-255, executed October 27, 2017, by adding a further Action item, to address an expropriation of a portion of the subject lands.		
Property:	Part of public lane adjacent to 61 Cleveland Street, being part of Parcel 7 Section East Township of York; Part of Lane on Plan M116 and part of 1 Foot Reserve on Plan M116, shown as Part 1 on Sketch No. PS-2016-060 (the "Property").		
Actions:	<ol style="list-style-type: none"> 1. The declaration of surplus of the Property under DAF 2017-255 is amended by adding the following Action item: "5. Authority be granted to dispose of the Property without giving the owner from whom the 1 Foot Reserve portion of the Property was expropriated the first chance to repurchase the 1 Foot Reserve portion of the Property on the terms of the best offer received by the expropriating authority." 2. All other Actions items approved under DAF 2017-255 are confirmed and remain unchanged. 		
Financial Impact:	There are no financial implications resulting from this approval. The Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.		
Background:	<p>The Property was previously declared surplus via DAF 2017-255, executed October 27, 2017.</p> <p>The public lane was acquired through Plan of Subdivision M116 in 1890. Although the former Corporation of the City of Toronto passed By-Law No. 14858 on November 29, 1937 to expropriate and declare that the reserve strip (running north/south on the east side of Cleveland Street adjacent to the public lane) shall form part of the existing public lane the reserve strip was never formally registered as City-owned until May 2017 when the City of Toronto filed an application to the Land Registry Office to Amend the Register. The portion of the one foot reserve being declared surplus and forming part of the Property is included in Part 1 of Sketch No. PS-2016-060.</p>		
Comments:	All other terms as approved by DAF 2017-255 remain unchanged.		
Property Details:	Ward:	15 – Don Valley West	
	Assessment Roll No.:		
	Approximate Size:	6.8 m x 2 m ± (22.3 ft x 6.6 ft ±)	
	Approximate Area:	13.7 m ² ± (147.5 ft ² ±)	
	Other Information:		
		<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:

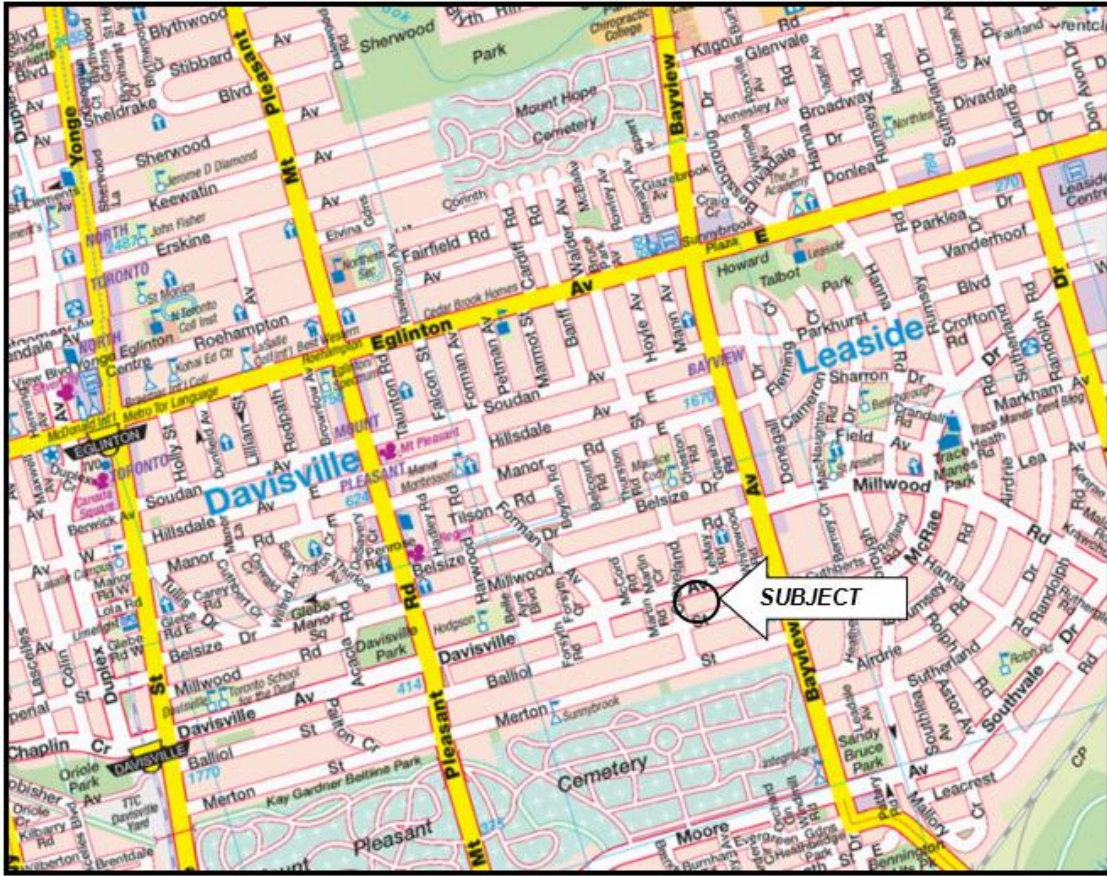
- A (1)** declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
- Councillor does not require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

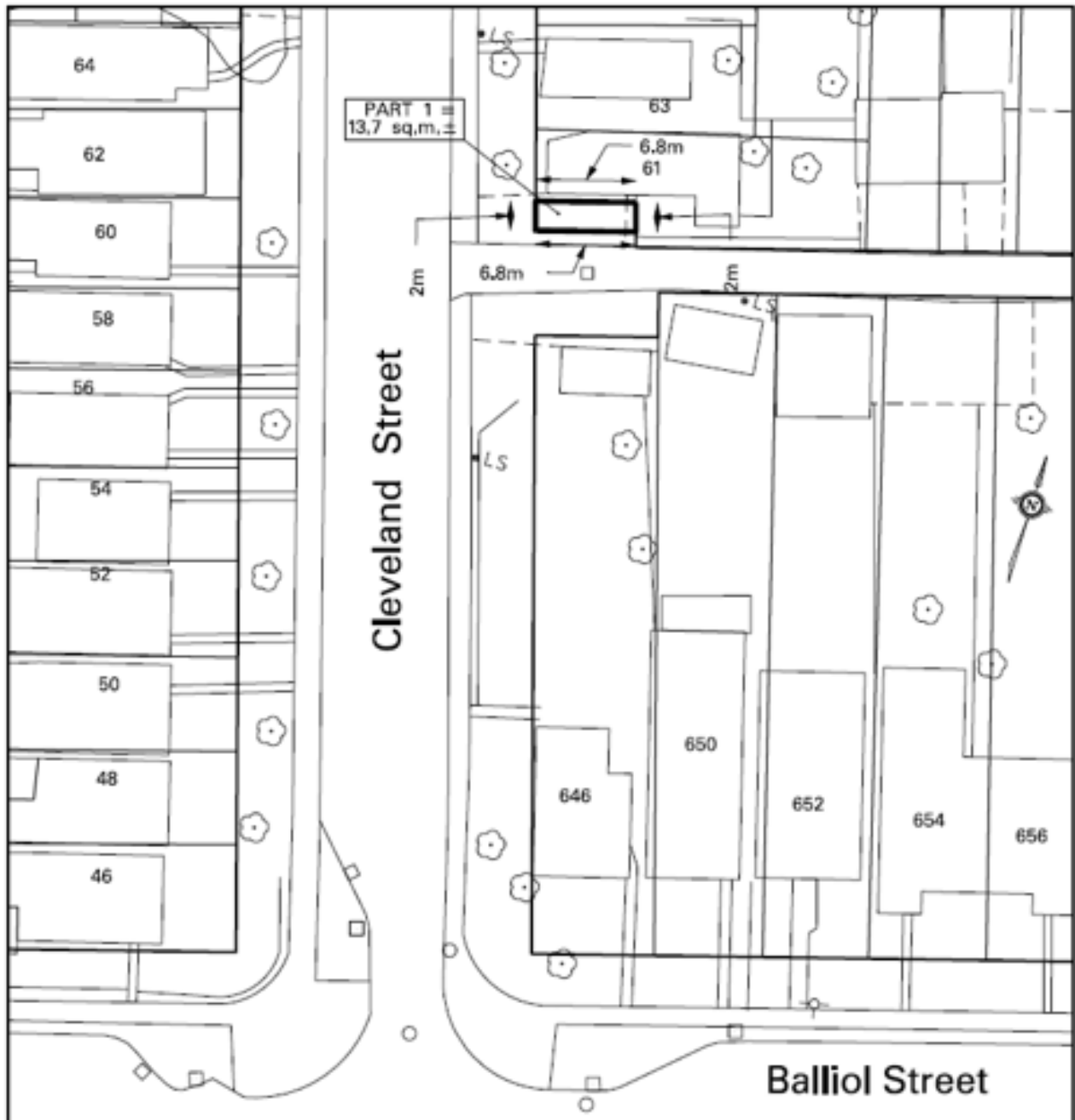
Title	Date	Recommended/ Approved
Manager	Jan. 3, 2019	Signed by Daran Somas
Director	Jan. 7, 2019	Signed by Tim Park
Deputy City Manager, Corporate Services	Jan. 7, 2019	Signed by Josie Scioli
Return to: Trixy Pugh Real Estate Services Metro Hall, 55 John Street, 2nd Fl (416) 392-8160		

Consultation with Councillor(s):					
Councillor:	Jaye Robinson				
Contact Name:	Jaye Robinson				
Contacted by	Phone	X	E-mail	Memo	Other
Comments:	Consulted (Jan 2, 2019)				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail	Memo	Other
Comments:					

Consultation with other Division(s):			
Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Patricia Libardo
Comments:		Comments:	Incorporated into DAF
Real Estate Law Contact:	Kathleen Ann Kennedy (Dec 13, 2018)	Date:	(Dec 21, 2018)

APPENDIX "A": LOCATION MAP & SKETCH





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

CHECK BY JOHN HOUSE
 PREPARED BY: DWAYNE PITT

PROPERTY INFORMATION SHEET

SKETCH SHOWING A PORTION OF THE PUBLIC LANE
 ABUTTING NO. 61 CLEVELAND STREET

WARD 22 – ST. PAUL'S
 DATE: APRIL 26, 2016

SKETCH No. PS-2016-060