

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:	Kathie Capizzano	Division:	Real Estate Services
Date Prepared:	March 11, 2019	Phone No.:	2-4825
<b>Purpose:</b>	Conditional on City Council approving the permanent closure of the public highways known as Trafford Lane shown as Part 2 on Sketch No. PS-2018-041, Cather Crescent shown as Part 1 Sketch No. PS-2018-041, Part 2 on Sketch No. PS-2018-042 and Part 2 on Sketch No. PS-2018-043, and parts of Varna Drive, shown as Part 1 on Sketch No. PS-2018-042 and Part 1 on Sketch No. PS-2018-043, to declare surplus these public highways, subject to the reservation by the City of easements for sewer and water main purposes, with the intended manner of disposal to be by way of a nominal sum conveyance to Toronto Community Housing Corporation (TCHC) as part of the Lawrence Heights Revitalization Project.		
<b>Property:</b>	<ol style="list-style-type: none"> <li>1. Trafford Lane, legally described as Lane, Plan 5633 North York, designated as Part 4 on Plan 66R-28485, City of Toronto and shown as Part 2 on Sketch No. PS-2018-041 attached as Appendix "A"</li> <li>2. Cather Crescent, legally described as Cather Crescent, Plan 5633 North York, designated as Part 2 on Plan 66R-28485, City of Toronto and shown as Part 1 on Sketch No. PS-2018-041, Part 2 on Sketch No. PS-2018-042 and Part 2 on Sketch No. PS-2018-043 attached as Appendices "A", "B" and "C", respectively</li> <li>3. Part of Varna Drive, legally described as part of Varna Drive, Plan 5633 North York, City of Toronto, being part of Part 1 on Plan 66R-28485, and shown as Part 1 on Sketch No. PS-2018-042 and Part 1 on Sketch No. PS-2018-043, attached as Appendices "B and "C", respectively. (collectively referred to herein as "the Highways")</li> </ol>		
<b>Actions:</b>	<ol style="list-style-type: none"> <li>1. The Highways be declared surplus conditional upon City Council approving the permanent closure of the Highways, subject to the reservation by the City of easements for sewer and watermain purposes, with the intended manner of disposal to be by way of a nominal sum conveyance to TCHC in connection with the Lawrence Heights Revitalization Project.</li> <li>2. Notice be published in a newspaper in circulation in the area of the Highways and be posted on the City's website.</li> <li>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.</li> </ol>		
<b>Financial Impact:</b>	<p>There are no financial implications resulting from this approval. Lands for new streets, parks and infrastructure will eventually be conveyed or dedicated to the City for nominal consideration, by TCHC, as part of the subdivision approval process for the Lawrence Heights Revitalization Project.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>		
<b>Background:</b>	<p>The Highways were not acquired through expropriation proceedings. The Highways were acquired by the former Township of North York in 1959 by dedication as public highways on Plan of Subdivision 5633.</p>		

**Comments:**

On December 1, 2011, City Council enacted By-Law No. 1414-2011, being a by-law to adopt the Lawrence-Allen Secondary Plan as Amendment No. 162 to the Official Plan.

A circulation to the City's Divisions and Agencies was undertaken to ascertain whether or not there is any municipal interest in retaining the Highways. Transportation Services has no objection to permanently closing the Highways. Toronto Water records show active watermains, storm sewers and sanitary sewers located within parts of Varna Drive and Cather Crescent. As such, the City will reserve easements for the protection of these sewers and watermains. Staff of the Affordable Housing Office has determined that there is no interest in retaining the Highways for affordable housing. TTC has requested four months' notice before the Highways are closed and conveyed, in order to make the necessary arrangements to reroute their buses. Any other existing utilities will be relocated at TCHC's sole expense or arrangements will be made for easements to be granted.

Although it is intended that the City will be conveying the Highways to TCHC for inclusion in TCHC's development, TCHC will be conveying portions of some of the Highways back to the City as a condition of subdivision approval, for inclusion in future public highways and a future park.

Accordingly, it is appropriate that the Highways be declared surplus. The Technical Review Committee has reviewed this matter and concurs.

**Property Details:**

<b>Ward:</b>	8 – Eglinton-Lawrence
<b>Assessment Roll No.:</b>	
<b>Approximate Size:</b>	
<b>Approximate Area:</b>	Cather Cres. – Part 1, Sketch PS-2018-041 - 8,268.2 sq. m. Part 2, Sketch PS-2018-042 – 1,425.3 sq. m. Part 2, Sketch PS-2018-043 – 105.1 sq. m. Trafford Lane - Part 2, Sketch PS-2018-041 – 1,071.1 sq. m. Varna Drive - Part 1, Sketch PS-2018-042 – 2,988.9 sq. m. Part 1, Sketch PS-2018-043 – 761.2 sq. m.
<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 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.

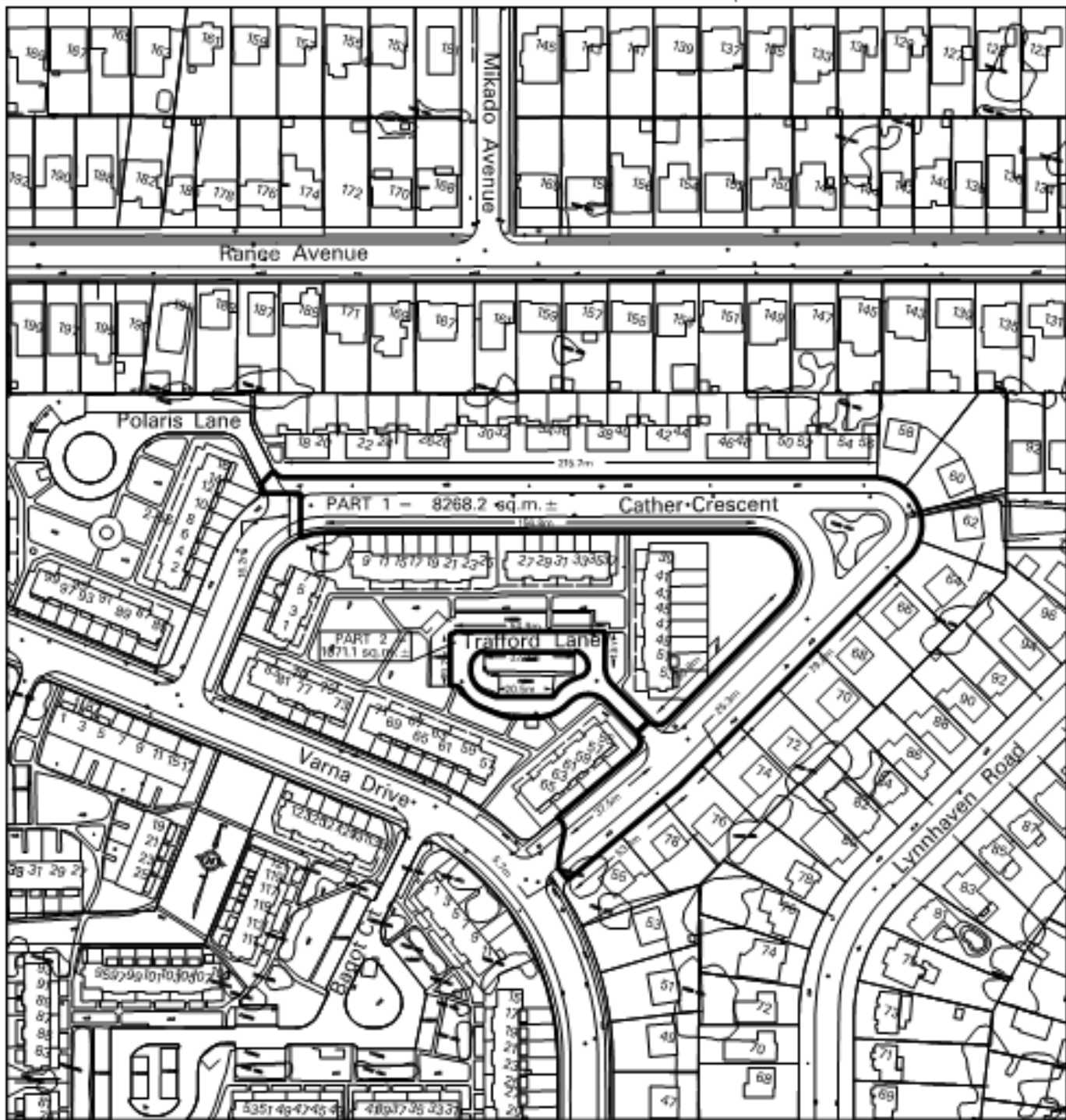
**Deputy City Manager, Corporate Services has approval authority for:**

- 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 Peter Cheng	March 14, 2019	Signed by Peter Cheng
Acting Director, Nick Simos	March 14, 2019	(for) Signed by Tim Park
Deputy City Manager, Corporate Services	March 14, 2019	Signed by Josie Scioli
<b>Return to:</b>		

Consultation with Councillor(s):					
Councillor:	Mike Colle				
Contact Name:	Lola Dandybaera				
Contacted by	Phone	x	E-mail	Memo	Other
Comments:	<ul style="list-style-type: none"> <li>Concurs with recommendation</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 other Division(s):			
Division:	Transportation	Division:	City Planning / Finance
Contact Name:	Lukasz Pawlowski	Contact Name:	Seanna Kerr / Lauren Birth
Comments:		Comments:	concurs
Real Estate Law Contact:	Jacqueline Vettorel	Date:	March 8, 2019



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  
CATHER CRESCENT (PART 1) AND  
TRAFFORD LANE (PART 2) WITHIN LAWRENCE  
HEIGHTS

WARD 15 - EGLINTON-LAWRENCE  
DATE: APRIL 05, 2018

SKETCH No. PS-2018-041



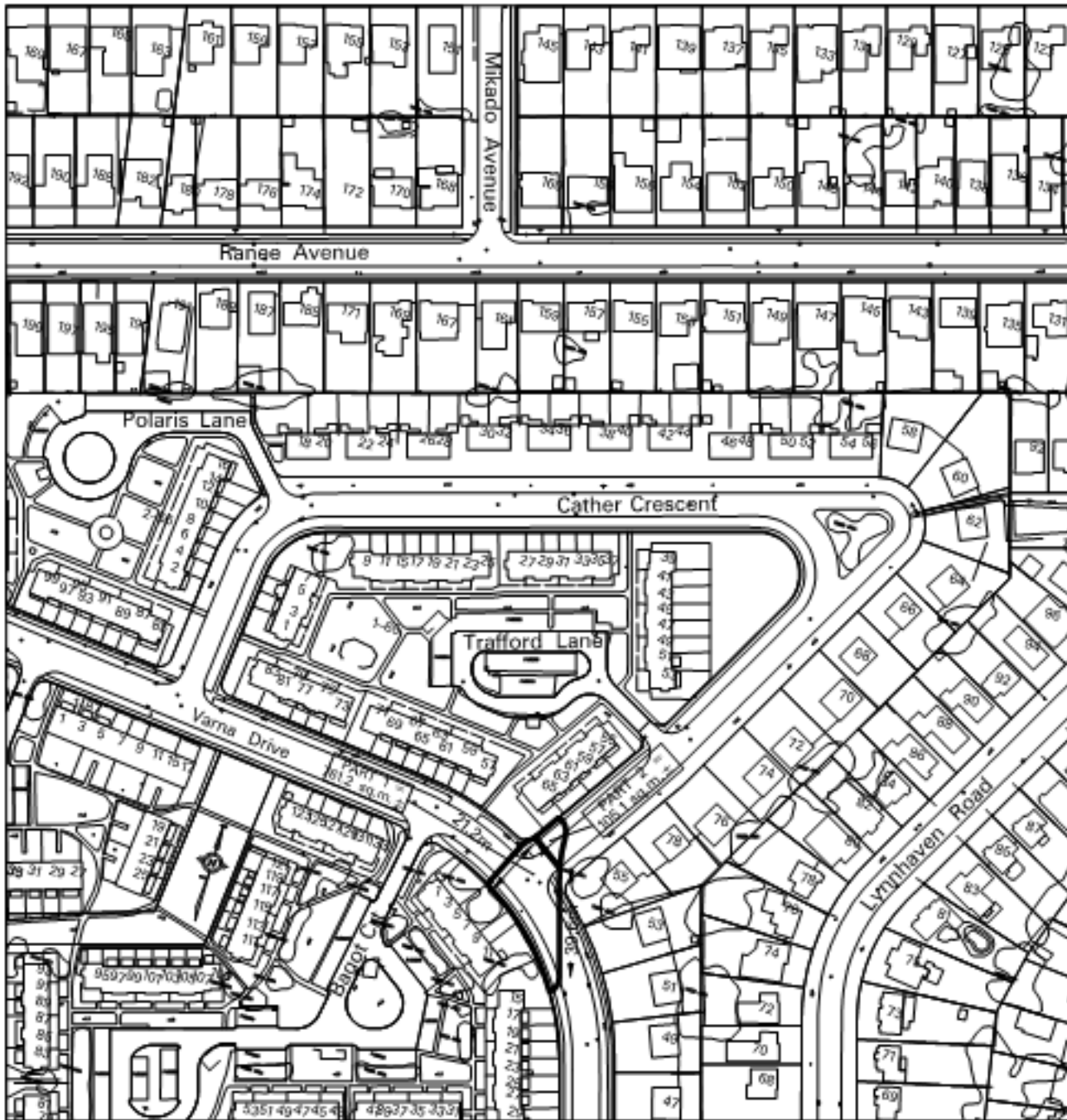
NOTE:  
THIS SKETCH HAS BEEN  
COMPILED FROM OFFICE  
RECORDS, MEASUREMENTS  
AND APPROXIMATE.

CHECK BY JOHN HOUSE  
PREPARED BY DWAYNE RITT

PROPERTY INFORMATION SHEET  
SKETCH SHOWING A PORTION OF VARNA DRIVE  
(PART 1) AND A PORTION OF CATHER CRESCENT  
(PART 2) WITHIN LAWRENCE HEIGHTS

WARD 15 - EGLINTON-LAWRENCE  
DATE: APRIL 10, 2018

SKETCH No. PS-2018-042



NOTE:  
THIS SKETCH HAS BEEN  
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CHECK BY JOHN HOUSE  
PREPARED BY: DWAYNE FITT

PROPERTY INFORMATION SHEET

SKETCH SHOWING A PORTION OF VARNA DRIVE  
(PART 1) AND A PORTION OF CATHER CRESCENT  
(PART 2) WITHIN LAWRENCE HEIGHTS

WARD 15 - EGLINTON-LAWRENCE  
DATE: APRIL 11, 2018

SKETCH No. PS-2018-043