

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:	June 18, 2019	Phone No.:	(416) 392-7205
Purpose:	To revise the authority contained in DAF 2012-053 to reflect a change in the intended manner of sale of a remnant portion of the property, municipally known as 20 St. Regis Crescent, subject to the retention of a 6.0 metre wide permanent easement (larger than described in DAF 2012-053) along the easterly boundary of the property, for access purposes, and to authorize the listing of the remnant portion for sale on the open market.		
Property:	Portion of 20 St. Regis Crescent, being Part of Lot 4 on Plan 3672, and designated as Parts 2 and 3 on Reference Plan 66R-27811 (the "Plan"), subject to the retention of a permanent easement over Part 3 on the plan for access purposes (the "Property"), also shown on Appendices "A" and "B".		
Actions:	<ol style="list-style-type: none"> 1. The Property be declared surplus, subject to the retention of a permanent easement over Part 3 on the plan and the Property be listed for sale on the open market. 2. Notice be published in a newspaper in circulation in the area of the Property and 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 Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.		
Background:	<p>The City acquired the Property on December 20, 2010 for the construction of an Emergency Exit Building ("EEB") in connection with the Toronto York Spadina Subway Extension ("TYSSE").</p> <p>On February 2, 2012, in DAF 2012-053, the then Chief Corporate Officer declared a portion of the property municipally known as 20 St. Regis Crescent surplus, subject to the retention of a 3.0 metre wide permanent easement along the easterly boundary of the retained portion of the property for access to the parking space at the rear of the EEB, with the intended manner of sale to be by way of inviting an offer to purchase from the owners at 3695 Keele Street, (the "Adjacent Owners").</p> <p>The declared surplus portion of 20 St. Regis Crescent was to be part of the compensation for the interest in the Adjacent Owners land. However, in 2014, the Adjacent Owners and the City of Toronto reached a full final settlement of the expropriated interest of part of 3695 Keele Street which did not include the declared surplus portion of 20 St. Regis Crescent as part of their compensation.</p>		
Comments:	<p>A re-circulation of the remnant portion of 20 St. Regis Crescent to the City's ABCDs was undertaken after the full and final settlement took place, to ascertain whether or not there was any additional municipal interest in the Property. The TTC expressed interest in retaining a larger 6.0 metre wide permanent easement for access purposes, shown as Part 3 on the Plan. Transportation Services advised they will be retaining Parts 4, 5 and 6 on Plan for road widening purposes as set out in Decision Document No. 2014-007 which has now been dedicated as public highway.</p> <p>Bell Canada has advised that it requires an easement over Parts 4, 5 and 6 on the Plan. No other municipal interest was expressed. Staff of the Housing Secretariat has determined that there is no interest in the Property for affordable housing.</p> <p>Accordingly, it is appropriate that the Property be declared surplus. The Technical Review Committee has reviewed this matter and concurs.</p>		
Property Details:	Ward:	6 – York Centre	
	Assessment Roll No.:	Part of 1908-03-3-402-01400	
	Approximate Size:	Irregular shaped	
	Approximate Area:	1108 m ² (11,926.8 ft ²)	
	Other Information:	Land and building	
	<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 General Government and Licensing 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	June 19, 2019	Signed by Daran Somas
Director, Real Estate Services, Nick Simos	June 25, 2019	Signed by Nick Simos
Deputy City Manager, Corporate Services, Josie Scioli	June 26, 2019	Signed by Josie Scioli
Return to: Mike Saffran, Project Manager, Transaction Services Metro Hall, 2 nd floor		

Consultation with Councillor(s):						
Councillor:	James Pasternak					
Contact Name:	Jacob Katz					
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 – May 24, 2019 - 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:	TTC	Division:	Financial Reporting
Contact Name:	Jerry Pimentel	Contact Name:	Lauren Birch
Comments:	Concurs with submission of DAF – June 5, 2019	Comments:	Concurs with FIS – June 5, 2019
Real Estate Law Contact:	Dale Mellor	Date:	May 30, 2019

Appendix "A"
Location and Site Map



Appendix "B"

