

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.

<b>Prepared By:</b>	Anna Edwards	<b>Division:</b>	Real Estate Services
<b>Date Prepared:</b>	February 18, 2020	<b>Phone No.:</b>	(416) 338-3185
<b>Purpose:</b>	To declare surplus a portion of the City-owned public lane west of Hounslow Heath Road extending southerly from St. Clair Avenue West, which is located between 1747 and 1753 St. Clair Avenue West, and to authorize the invitation of an offer to purchase the property from the owner of the abutting lands, 1749 St. Clair Inc. or its successor, conditional upon City Council approving the permanent closure of this portion of the public highway.		
<b>Property:</b>	A portion of public laneway abutting 1747 and 1753 St. Clair Avenue West, immediately south of St. Clair West Avenue, legally described as PART OF LANE ON PLAN 141; PT LANE PL 141 TORONTO CLOSED BY CA503862; PT LT 41-43 PL 141 TORONTO AS IN WH34884; BEING LANE ON W & S OF HOUNSLOW HEATH RD; CITY OF TORONTO, shown as Part 1 on Sketch No. PS-2019-076 attached as Appendix "A" (the " <b>Property</b> ").		
<b>Actions:</b>	<ol style="list-style-type: none"> <li>1. The Property be declared surplus conditional upon City Council approving the permanent closure of the highway and an offer to purchase the Property be invited from the owner of the abutting lands, 1749 St. Clair Inc. or its successor.</li> <li>2. Notice be published in a newspaper in circulation in the area of the Property 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.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>		
<b>Background:</b>	The Property was not acquired through expropriation proceedings.		
<b>Comments:</b>	<p>1749 St. Clair Inc. (the "Developer") wishes to purchase the Property from the City in order to facilitate its proposed development.</p> <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 Property. No municipal interest was expressed. Staff of the Housing Secretariat has determined that there is no interest in the Property for affordable housing. Accordingly, it is appropriate that the Property be declared surplus. The Technical Review Committee has reviewed this matter and concurs.</p>		
<b>Property Details:</b>	<b>Ward:</b>	9 – Davenport	
	<b>Assessment Roll No.:</b>		
	<b>Approximate Size:</b>	6 m x 30 m ± (20 ft x 98 ft ±)	
	<b>Approximate Area:</b>	181.6 m <sup>2</sup> ± (1955 ft <sup>2</sup> ±)	
	<b>Other Information:</b>		
	<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:**

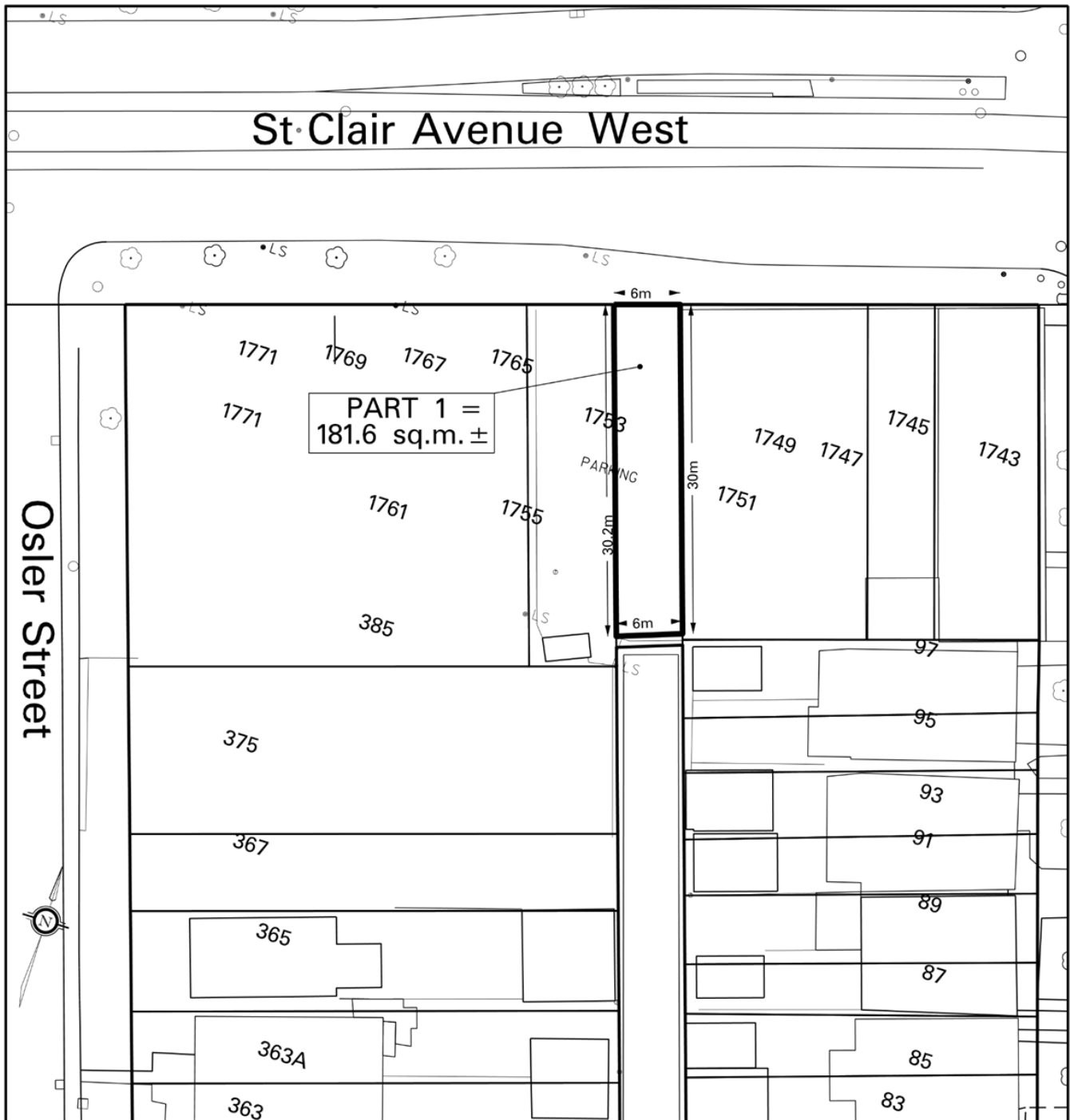
- A (1) declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the General Government and Licensing Committee (§ 213-6).
  - Councillor does 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, Real Estate Services	Feb. 18, 2020	Signed by Melanie Hale-Carter
Director, Real Estate Services	Feb. 18, 2020	Signed by Nick Simos
Executive Director, Corporate Real Estate Management	Feb. 20, 2020	Signed by Patrick Matozzo
Deputy City Manager, Corporate Services	Feb. 24, 2020	Signed by Josie Scioli
<b>Return to:</b> Anna Edwards Program and Policy Management, Real Estate Services Metro Hall, 2 <sup>nd</sup> floor (416) 338 - 3185		

Consultation with Councillor(s):					
Councillor:	Ana Bailão				
Contact Name:	Nicholas Gallant				
Contacted by	Phone	<input checked="" type="checkbox"/>	E-mail	Memo	Other
Comments:	No objections (January 29, 2020)				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail	Memo	Other
Comments:					

Consultation with other Division(s):			
Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Filisha Jenkins
Comments:		Comments:	Concurs with submission (January 27, 2020)
Real Estate Law Contact:	Emily Ng (February 14, 2020)	Date:	February 18, 2020

Appendix "A" - Sketch and Location Map



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

CHECK BY JOHN HOUSE  
PREPARED BY DWAYNE PITT

PROPERTY INFORMATION SHEET  
CITY OWNED LAND  
SKETCH SHOWING A PORTION OF  
THE PUBLIC LANE BETWEEN  
NOS 1749 AND 1753 ST CLAIR AVENUE WEST

WARD 9 - DAVENPORT  
DATE: JULY 19 2019

SKETCH No PS-2019-076

