

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>	Mike Saffran	<b>Division:</b>	Real Estate Services
<b>Date Prepared:</b>	February 3, 2020	<b>Phone No.:</b>	(416) 392-7205
<b>Purpose:</b>	To declare surplus a City-owned stratified fee simple air space above a portion of an unnamed u-shaped public lane adjacent to Jack Cooper Lane, located at the rear of 375 Queen Street West. This portion of the public lane be declared surplus, conditional on City Council approving the permanent closure of that portion of the public lane and to authorize the invitation of an offer to purchase of that portion of the public lane from the adjoining owner, 375-381 Queen Street West Inc. (the "Adjoining Owner") on terms and conditions acceptable to the City.		
<b>Property:</b>	A portion of the unnamed u-shaped public lane, legally described as Part of Lots 21-23 Plan 1b Toronto, being Part 1 on Reference Plan 63R-4373, Part 1 on Reference Plan 63R-3898 and Parts 1 to 7 on Expropriation Plan CT907963, save and except Part 2 on Reference Plan 63R-4373; City of Toronto, being part of PIN: 21412-0236 in Land Registry Office of Toronto (No. 66) in Land Titles Division and shown as Part 1 on Sketch No. PS-2019-075 on Appendix "A" (the "Property").		
<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 public lane, and an offer to purchase the Property be invited from the Adjoining Owner on terms and conditions acceptable to the City.</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>	<p>The Adjoining Owners have submitted an application to Transportation Services for the feasibility of closing and conveying the Property for incorporation into their site for future redevelopment. The Property was acquired by the City by (a) registration of Expropriation Plan as Instrument No. CT907963 registered on October 28, 1987 wherein the City expropriated Parts 1, 2, 3, 4, 5, 6 and 7 on the Expropriation Plan, (b) a Transfer registered as Instrument No. CA4262 on January 25, 1989 wherein Duclos Holdings Limited transferred Part 1 on Reference Plan 63R-3898 to the City and (c) a Transfer registered as Instrument No. CA297820 on August 3, 1994 wherein Duclos Holdings Limited transferred Part 1 on 63R-4373 to the City.</p> <p>When authority is sought for the disposal of the Property, City staff will seek authority for the City as the approving authority under the <i>Expropriations Act</i>, to dispose of lands acquired by expropriation without giving the owner from whom the land was expropriated the first chance to repurchase the land on the terms of the best offer received by the expropriating authority as required under Section 42 of the <i>Expropriations Act</i>.</p>		
<b>Comments:</b>	<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. Transportation Services has completed its assessment and have determined that it is feasible to close and sell the Property and can be permanently closed.</p> <p>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>	20 – Trinity-Spadina	
	<b>Assessment Roll No.:</b>	N/A	
	<b>Approximate Size:</b>	Frontage: 3.2 m x Depth: 12.6 m ± (10.5 ft x 41.3 ft ±)	
	<b>Approximate Area:</b>	43.0 m <sup>2</sup> ± (463.0 ft <sup>2</sup> ±)	
	<b>Other Information:</b>	Public lane	
	<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
Acting Manager, Transaction Services	Feb. 5, 2020	Signed by Daran Somas
Acting Director, Real Estate Services	Feb. 5, 2020	Signed by Nick Simos
Executive Director, Corporate Real Estate Management	Feb. 5, 2020	Signed by Patrick Matozzo
Deputy City Manager, Corporate Services	Feb. 6, 2020	Signed by Josie Scioli
<b>Return to:</b> Mike Saffran, Metro Hall, 2 <sup>nd</sup> floor (416) 392-7205		

Consultation with Councillor(s):	
Councillor:	Joe Cressy
Contact Name:	Anthony MacMahon
Contacted by	<input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	No objection – January 30, 2020
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:	Transportation Services	Division:	Finance
Contact Name:	Khaled Choudhury	Contact Name:	Filisha Jenkins
Comments:	No comments – January 24, 2020	Comments:	Concurs with FIS – January 23, 2020
Real Estate Law Contact:	Luxmen Aloysius	Date:	January 23, 2020

Appendix "A" – Site Map and Property Survey Sketch

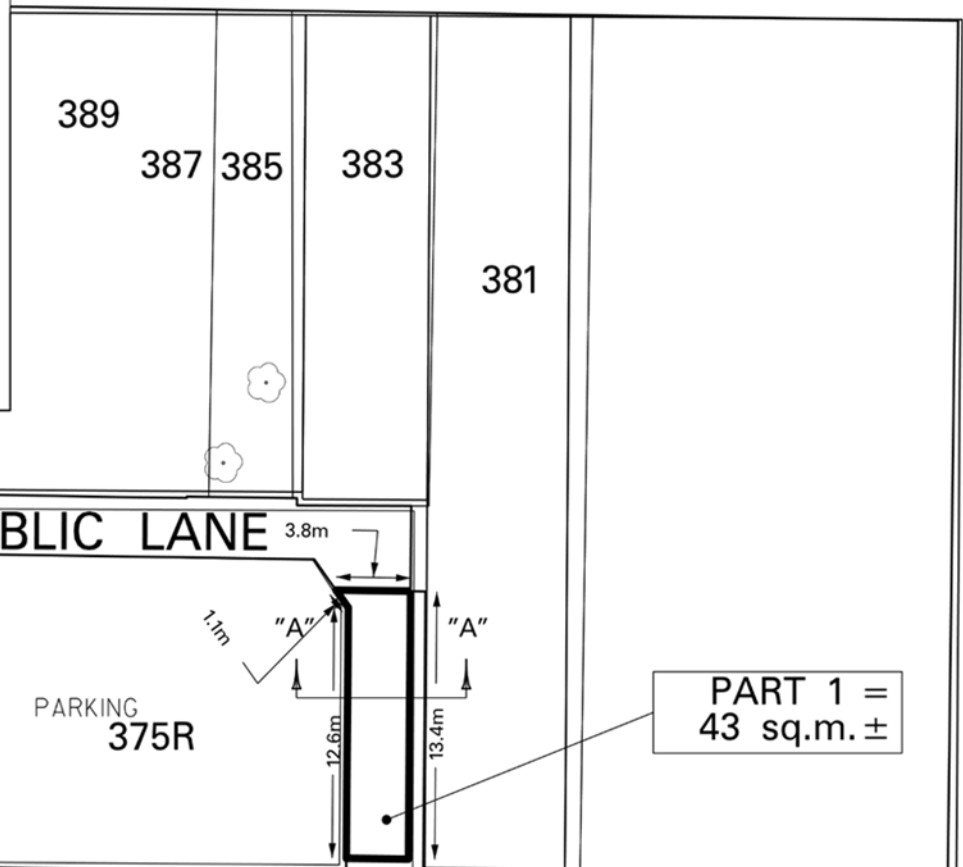
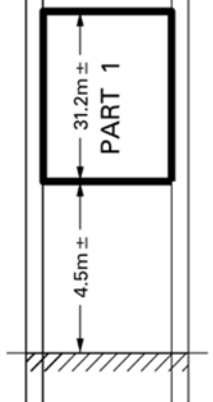


View of portion of the unnamed u-shaped lane adjacent to Jack Cooper Lane at rear of 375 Queen Street West



DETAIL "A"- "A"

# QUEEN STREET WEST



PETER STREET

# JACK COOPER LANE

138 PARKING

134



# TORONTO

TECHNICAL SERVICES DIVISION  
SURVEY & UTILITY MAPPING

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 STRATA PORTION OF  
THE PUBLIC LANE ABUTTING  
NO 381 QUEEN STREET WEST

WARD 10 - SPADINA-FORT YORK  
DATE: JULY 8, 2019

SKETCH No PS-2019-075