

Approved pursuant to the Delegated Authority contained in Article 1 of City of Toronto Municipal Code Chapter 213, Real Property

<b>Prepared By:</b>	Mike Saffran	<b>Division:</b>	Corporate Real Estate Management
<b>Date Prepared:</b>	July 6, 2020	<b>Phone No.:</b>	(416) 392-7205
<b>Purpose:</b>	To declare surplus the City-owned public lane, located to the west of 96 Spadina Avenue and to the east of 388 Adelaide Street West, conditional on City Council approving the permanent closure of the public lane and to authorize the invitation of an offer to purchase the public lane from the adjoining owner, 387-391 Adelaide Street West Inc. (the "Adjoining Owner") on terms and conditions acceptable to the City.		
<b>Property:</b>	Part of lots 1-2 Section E of Plan Military Reserve Toronto as in WF7391, being a Public Lane South of Adelaide Street and North of Plan 63R- 1481; City of Toronto, and shown as Part 1 on Sketch No. PS-2018-003, (the "Lane") on the attached Appendix "A".		
<b>Actions:</b>	<ol style="list-style-type: none"> <li>1. The Lane be declared surplus, conditional upon City Council approving the permanent closure of the public lane, and an offer to purchase the Lane 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 Lane 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 Owner submitted an application to Transportation Services for the feasibility of closing and conveying the Lane for incorporation into its site for future redevelopment. The Adjoining Owner's zoning amendment application proposes a 16-storey building with 80 square metres of retail/commercial space on the ground level and 33,946 square metres of office space above the existing buildings at 96 Spadina Avenue and 379, 383, 385 and 391 Adelaide Street West. The Lane was not acquired through expropriation proceedings.</p> <p>The former Corporation of City of Toronto passed by-Law No. 6154 on July 22, 1912 to accept the Lane as a public laneway.</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 Lane. No municipal interest was expressed. Staff of the Housing Secretariat has determined that there is no interest in the Lane for affordable housing.</p> <p>Transportation Services has completed its assessment and have determined that it is feasible to close and sell the Lane and can be permanently closed. Accordingly, it is appropriate that the Lane be declared surplus. The Technical Review Committee has reviewed this matter and concurs.</p>		
<b>Property Details:</b>	<b>Ward:</b>	10 – Spadina-Fort York	
	<b>Assessment Roll No.:</b>	N/A	
	<b>Approximate Size:</b>	Frontage & Depth: 5.5 m x 34.0 m ± (18.0 ft x 111.5 ft ±)	
	<b>Approximate Area:</b>	186.6 m <sup>2</sup> ± (2009.0 ft <sup>2</sup> ±)	
	<b>Other Information:</b>	Current use – 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:**

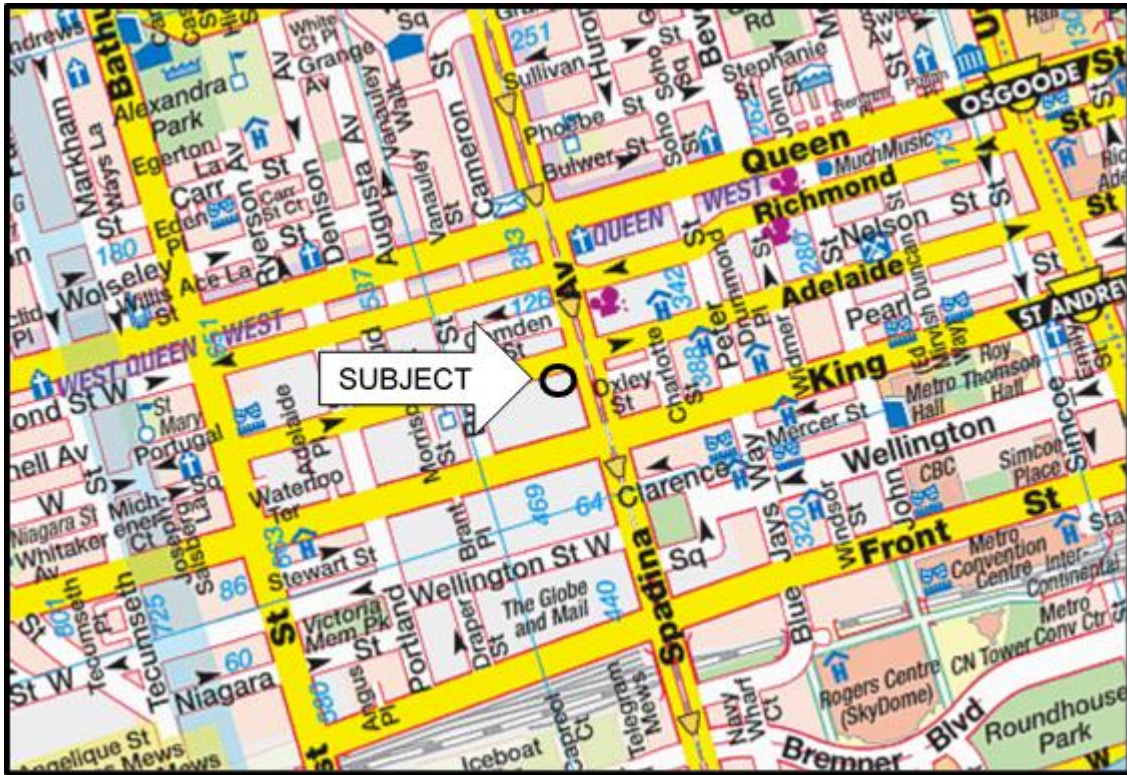
- (1) declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the General Government and Licensing Committee (§ 213-6).
  - Councillor does 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, Transaction Services	July 20, 2020	Signed by Daran Somas
Director, Transaction Services	July 23, 2020	Signed by Alison Folosea
Executive Director, Corporate Real Estate Management	Sept, 28, 2020	Signed by Patrick Matozzo
Deputy City Manager, Corporate Services	Sept. 29, 2020	Signed by Josie Scioli
<b>Return to:</b> Mike Saffran, Transaction Services, Metro Hall, 2 <sup>nd</sup> fl mike.saffran@toronto.ca		

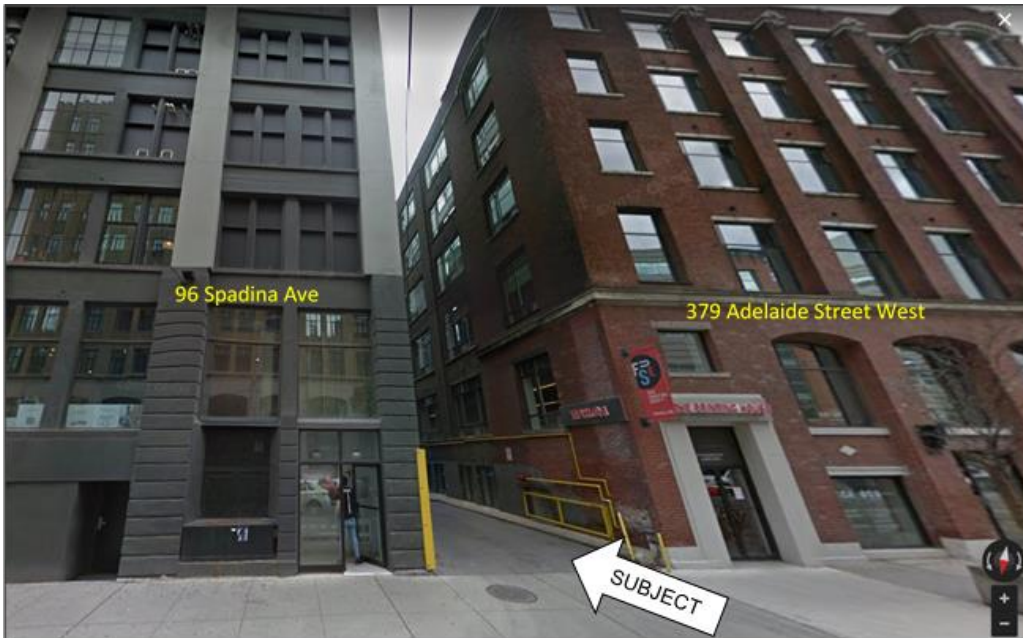
Consultation with Councillor(s):						
Councillor:	Joe Cressy					
Contact Name:	Antony MacMahon					
Contacted by	<input checked="" type="checkbox"/> Phone	<input checked="" type="checkbox"/> E-mail	<input type="checkbox"/> Memo	<input type="checkbox"/> Other		
Comments:	No objections – June 24, 2020					
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:	Financial Planning
Contact Name:	Lukasz Pawlowski, Gopa Pal	Contact Name:	Filisha Jenkins
Comments:	Concurs with DAF – June 23, 2020	Comments:	Concurs with FIS – June 15, 2020
Real Estate Law Contact:	Gloria Lee	Date:	June 15 and July 2, 2020

Appendix "A" – Site Map and Property Survey 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  
THE PUBLIC LANE BETWEEN  
NO. 96 SPADINA AVENUE AND  
NO. 379 ADELAIDE STREET WEST

WARD 20 - TRINITY-SPADINA  
DATE: JANUARY 09, 2018

SKETCH No. PS-2018-003