

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

Prepared By:	Trixy Pugh	Division:	Corporate Real Estate Management
Date Prepared:	November 23, 2020	Phone No.:	(416) 392-8160
Purpose:	Conditional upon City Council approving the permanent closure of the public lane identified as Parts 3 to 8 on the attached draft reference plan, to declare surplus Parts 3 and 8 (the "Property"), with the intended manner of disposal to be by way of inviting an offer to purchase from the adjoining owner at 2104-2110 Yonge Street (the "Owner").		
Property:	A portion of the public lane, with stratified portions located at the rear of 2104-2110 Yonge Street, legally described as Part of Lane on Plan 585E Toronto; Being Lane Between Hillsdale Avenue West & Manor Road West, designated as Part 3 on 66R-27137 (the "Lane"), shown as Parts 3 and 8 on the attached draft reference plan and cross section as Appendix "B" (the "Property").		
Actions:	<ol style="list-style-type: none"> 1. The Property be declared surplus conditional upon City Council approving the permanent closure of the Lane and an offer to purchase the Property be invited from the Owner. 2. Notice be published in a newspaper in circulation in the area of the Property and be posted 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 implications as identified in the Financial Impact section.		
Background:	<p>The Lane was not acquired through expropriation proceedings.</p> <p>The Owner submitted an application with the City to redevelopment its lands at 2104-2110 Yonge Street for a mixed used condominium and approached the City to purchase the entire Lane. Following a circulation to the City's agencies and divisions, the Toronto Transit Commission (the "TTC") identified part of the Lane to be retained for Line 1 subway setback requirements. Negotiations between the Owner and City resulted in an agreement to divide the Lane to satisfy each party's requirements, and to transfer part of the Lane, including a stratified interest over top of a portion of the Lane to be retained for the TTC, to the Owner. The proposed building will have balcony cantilevered over the TTC portion. The City will retain Parts 4, 5, 6 and 7 of the Lane for the TTC. The colour-coded drawing attached as Appendix "A" shows an overview of the parts of the Lane to be retained, and those to be declared surplus.</p>		
Comments:	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. 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.		
Property Details:	Ward:	12 – St. Paul's	
	Assessment Roll No.:		
	Approximate Size:		
	Approximate Area:	451 m ² ± (4,854.5 ft ² ±)	
	Other Information:		
	<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, Real Estate Services	Dec. 8, 2020	Signed by Daran Somas
Director, Real Estate Services	Dec. 10, 2020	Signed by Alison Folosea
Executive Director, Corporate Real Estate Management	Dec. 10, 2020	Signed by Patrick Matozzo
Deputy City Manager, Corporate Services	Dec. 10, 2020	Signed by Josie Scioli
Return to: Trixy Pugh Real Estate Services Metro Hall, 55 John Street, 2nd Floor		

Consultation with Councillor(s):					
Councillor:	Josh Matlow				
Contact Name:	Denise McMullin				
Contacted by	Phone	<input checked="" type="checkbox"/>	E-mail	Memo	Other
Comments:	No objections (Oct 30, 2020)				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail	Memo	Other
Comments:					

Consultation with other Division(s):			
Division:	Transportation Services	Division:	Financial Planning
Contact Name:	Lukasz Pawlowski	Contact Name:	Patricia Libardo
Comments:	Incorporated into DAF (Nov 23, 2020)	Comments:	Incorporated into DAF (Nov 23, 2020)
Real Estate Law Contact:	Vanessa Bacher (Oct 29, 2020)	Date:	

Appendix "A": Location Map & Sketch



Illustration is approximate



Cross Section of Lane Showing Strata Parcels

