

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

Prepared By:	Mike Saffran	Division:	Corporate Real Estate Management
Date Prepared:	May 10, 2021	Phone No.:	(416) 392-7205
Purpose:	To amend DAF 2016-023 with respect to the method of sale for a residual parcel of City-owned vacant land at the rear of 11 Hounslow Heath Road. To firstly, invite the owner of 11 Hounslow Heath Road to submit an offer to purchase for the residual parcel, and secondly, to invite the adjoining owners of 9 Hounslow Heath Road and 15 Hounslow Heath Road to respectively submit offers to purchase.		
Property:	A residual parcel of land legally described as, and shown as Parts 3, 4, 5 and 6 on Plan 66R-28169 on the attached Appendix "A".		
Actions:	<ol style="list-style-type: none"> 1. An offer to purchase Parts 3, 4, 5 and 6 on Plan 66R-28169 (the "Property") subject to any easements, be invited from the owner of 11 Hounslow Heath Road. Prior to any sale, the City requires the owner of 11 Hounslow Heath Road provide a Quit Claim/Release to the City with respect to Parts 2, 3, 4 and 5 on expropriation Plan 66D-1036. Should the owner of 11 Hounslow Heath not submit an offer to purchase, the owners of 9 and 15 Hounslow Heath Road, each be invited to submit an offer to purchase subject to any easements, and also provide a Quit/Claim/Release to the City with respect to Parts 2, 3, 4 and 5 on expropriation Plan 66D-1036, prior to any sale. 2. That City Council, as the approving authority under the <i>Expropriations Act</i>, authorize the disposition of such land, Parts 3, 4, 5 and 6 on Plan 66R-28169 (the "Plan") without giving the owner(s) 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. 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:	By the adoption of Government Management Committee Report, GM10.14, City Council at its meeting of December 11, 12 and 13, 2007 authorized, as the approving authority, the approval of the disposal of the expropriated lands to parties other than those from whom the land was expropriated, without first giving those expropriated owners the right they would otherwise have of first chance to repurchase the lands set out in Section 42 of the <i>Expropriations Act</i> . Authority has been sought in the Actions above declaring the residual portions surplus and offering these residual portions to the adjacent owners.		
Comments:	On October 13, 2016, the then Chief Corporate Officer authorized in DAF 2016-023 the declaration as surplus of residual portions of vacant land at the rear of 11 Hounslow Heath Road. Since 2016, portions of the vacant land have been sold to the adjoining owner of 9 Hounslow Heath Road, and to the owner of adjoining 15 Hounslow Heath Road. However, interest from the owner of 11 Hounslow Heath Road has not resulted in any disposition. Recently, the owner of 9 Hounslow Heath Road has shown interest in the Property and as such the method of sale is being amended to first offer the Property to the owner of 11 Hounslow Heath Road, and secondly to each of the owners of 9 and 15 Hounslow Heath Road.		
Property Details:	Ward:	9 – Davenport	
	Assessment Roll No.:	1904-03-2-220-05210	
	Approximate Size:	Irregular-shaped	
	Approximate Area:	Parts 3, 4, 5, 6 on Plan 66R-28169 129.6 m ² (1,395.0 ft ²)	
	Other Information:	Vacant land	
	<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:

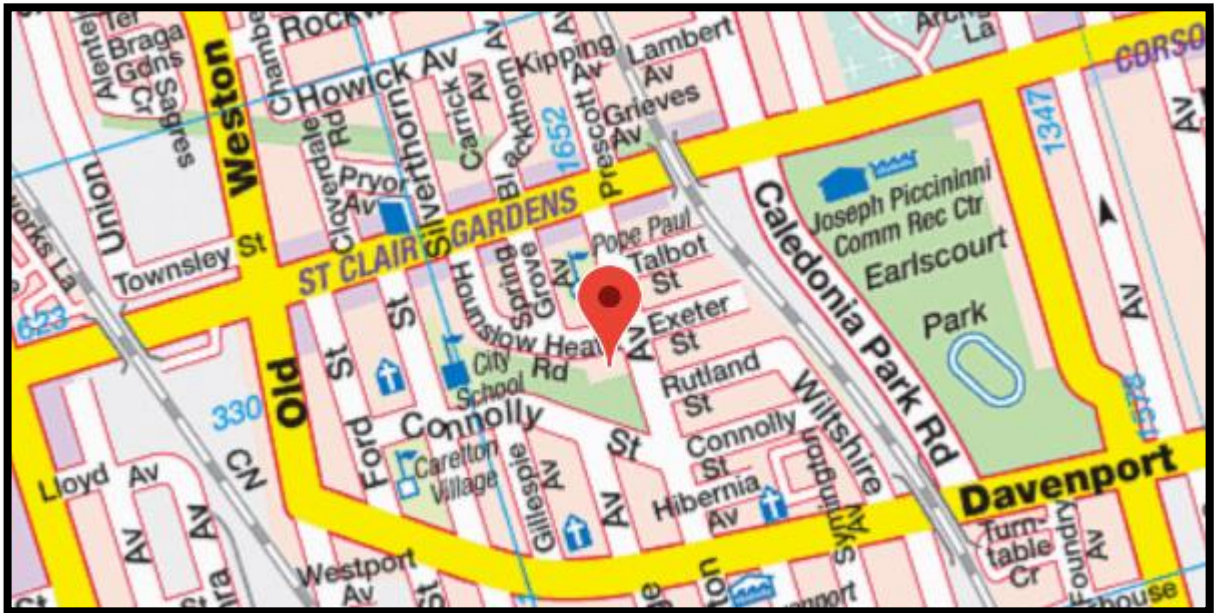
- (1) declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the General Government and Licensing Committee (§ 213-6).
 - Councillor does 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 Daran Somas	May 5, 2021	Signed by Daran Somas
Director, Transaction Services Alison Folosea	May 21, 2021	Signed by Alison Folosea
Executive Director, Corporate Real Estate Management Patrick Matozzo	May 21, 2021	Signed by Patrick Matozzo
Deputy City Manager, Corporate Services Josie Scioli	May 26, 2021	Signed by Josie Scioli
Return to: Mike Saffran, CREM – Transaction Services Metro Hall, 2nd floor DAF 2021-123		

Consultation with Councillor(s):					
Councillor:	Ana Bailao				
Contact Name:	Nicholas Gallant/Marlene Araujo				
Contacted by	Phone	X	E-mail	Memo	Other
Comments:	No objections – April 26, 2021				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail	Memo	Other
Comments:					

Consultation with other Division(s):			
Division:		Division:	Finance
Contact Name:		Contact Name:	Patricia Libardo
Comments:		Comments:	Concurs with FIS – April 23, 2021
Real Estate Law Contact:	Soo Kim Lee	Date:	April 20, 2021

Appendix "A" – location map and aerial location



Appendix "A" - Reference Plan 66R-28169

