

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:	November 17, 2021	Phone No.:	(416) 392-7205
Purpose:	To declare surplus the City-owned stratified parcel located at the rear of 375 Queen Street West, conditional on City Council approving the permanent closure of the stratified parcel and to authorize the invitation of an offer to purchase of the stratified parcel from the adjoining owner, 375-381 Queen Street West Inc. (the "Adjoining Owner") on terms and conditions acceptable to the City.		
Property:	A portion of the lane being Part of Lots 21 – 23, Plan 1B, designated as Parts 1 and 2, Plan 66R-25893, CITY OF TORONTO, PIN 21412-0310 (LT) and shown as Part 2 on Sketch No. PS-2021-045 attached as Appendix "A" (the "Lane").		
Actions:	<ol style="list-style-type: none"> 1. The Lane be declared surplus conditional upon City Council approving the permanent closure of Lane, and an offer to purchase the Lane be invited from the Adjoining Owner on terms and conditions acceptable to the City. 2. Notice be published in a newspaper in circulation in the area of the Lane 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>On July 25, 2012, the Adjoining Owner conveyed to the City a fee simple interest in land for a lane widening as part of City Planning's Notice of Approval conditions for the development site at 375-381 Queen Street West. The City then registered By-law 1135-2020 on February 3, 2021 dedicating Parts 1 and 2 on Plan 66R-25893 for public lane purposes.</p> <p>In accordance with the City's Real Estate Disposal By-law, No. 814-2007, a separate stratified parcel adjacent to the Lane, shown as Part 1 on Sketch No. PS-2021-045 ("Part 1") was declared surplus on February 6, 2020 (DAF No. 2020-012) with the intended manner of disposal to be by inviting an offer to purchase from the Adjoining Owner. On March 2, 2021 the sale of Part 1 in the amount of \$610,000.00 was later documented by DAF 2021-038.</p> <p>The Lane was not acquired through expropriation proceedings.</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 Lane. No municipal interest was expressed. Staff of the Housing Secretariat has determined that there is no interest in the Lane for affordable housing. Accordingly, it is appropriate that the Lane be declared surplus. The Technical Review Committee has reviewed this matter and concurs.		
Property Details:	Ward:	10 – Spadina-Fort York	
	Assessment Roll No.:	N/A	
	Approximate Size:	Irregular shaped	
	Approximate Area:	21.2 m ² (228.2 ft ²)	
	Other Information:	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, Portfolio Management Scott Delahunt	Nov. 17, 2021	Signed by Scott Delahunt
Director, Transaction Services Alison Folosea	Nov. 19, 2021	Signed by Alison Folosea
Executive Director, Corporate Real Estate Management Patrick Matozzo	Nov. 19, 2021	Signed by Patrick Matozzo
Deputy City Manager, Corporate Services Josie Scioli	Nov. 19, 2021	Signed by Josie Scioli
Return to: Mike Saffran, CREM – Transaction Services, 2 nd floor, Metro Hall (mike.saffran@toronto.ca)		

Consultation with Councillor(s):						
Councillor:	Joe Cressy					
Contact Name:	Anthony MacMahon					
Contacted by	Phone	X	E-mail	Memo	Other	
Comments:	No objections – August 3, 2021					
Councillor:						
Contact Name:						
Contacted by	Phone		E-mail	Memo	Other	
Comments:						

Consultation with other Division(s):			
Division:	Transportation Services / City Planning	Division:	Finance
Contact Name:	Lukasz Pawlowski / John Duncan	Contact Name:	Patricia Libardo
Comments:	Concurs – Nov 1, 2021/ Concurs – Aug 4, 2021	Comments:	Concurs with FIS – August 3, 2021
Real Estate Law Contact:	Gloria Lee	Date:	August 3, 2021 & November 17, 2021

Appendix "A" – Site Map and Sketch No. PS-2021-045

