

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:	March 23, 2022	Phone No.:	(416-392-7205)
Purpose:	To declare surplus the bulb-shaped portion of the City-owned public highway known as Inez Court, subject to the retention of any required easements by the City. The public highway is to be declared surplus, conditional on City Council approving the permanent closure of this portion of the public highway, and to authorize the invitation of an offer to purchase the public highway from the adjacent owner of 20 to 28 Inez Court (the "Adjacent Owner").		
Property:	Portion of the bulb-shaped public highway shown on the draft Reference Plan updated February 9, 2022 (the "Draft Plan") designated as Part 10, being Part of PIN 10141-0289 (LT) (the "Highway") also shown on the attached "Appendix "A."		
Actions:	<ol style="list-style-type: none"> 1. The Highway be declared surplus, conditional upon City Council approving the permanent closure of the Highway, and an offer to purchase the Highway be invited from the Adjacent Owner, subject to any required easements, and on terms and conditions acceptable to the City, which may include a requirement that Parts 1, 2, 6, 8, 9, 13, 14, 18, 19, 21 on the Draft Plan be transferred to the City for the Beecroft extension and that Parts 3, 4, 5, 15, 16, 17 on the Draft Plan be transferred to the City for parkland. 2. Notice be published in a newspaper in circulation in the area of the Highway 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:	<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 implications as identified in the Financial Impact section.</p>		
Background:	<p>The Highway was not acquired through expropriation proceedings. The Highway was established through Registered Plan 5245 as a public highway.</p> <p>The Jurisdiction and Operational Management of Part 20 on the Draft Plan is intended to be transferred from Transportation Services to Parks, Forestry & Recreation for future parkland dedication purposes, conditional on City Council stopping-up and closing that portion of Inez Court. The Transfer of Jurisdiction and Operational Management will be the subject of a future Delegated Approval Report.</p> <p>Declaring the Highway surplus is a result of a planning application by the Adjacent Owner. As part of that planning transaction, the Adjacent Owner shall be required to convey to the City (i) Parts 1, 2, 6, 8, 9, 13, 4, 18, 19, 21 for an extension of Beecroft Road, and (ii) 3, 4, 5, 15, 16, 17 for future parkland. These conveyances will be a precondition to the conveyance of the Highway.</p>		
Comments:	<p>A circulation to the City's Divisions, Agencies and Commissions was undertaken to ascertain whether or not there is any municipal interest in retaining the Highway. No municipal interest was expressed. Staff of the Housing Secretariat has determined that there is no interest in the Highway for affordable housing.</p> <p>Transportation Services has completed its review of the proposed closing and sale of the Highway and has no objection. Toronto Water has identified significant below grade infrastructure in both Part 10 and Part 20 with the City reserving easements to protect said infrastructure and granting or retaining any other utility easements as required.</p> <p>Accordingly, it is appropriate that the Highway be declared surplus. The Technical Review Committee has reviewed this matter and concurs.</p>		
Property Details:	Ward:	18 – Willowdale	
	Assessment Roll No.:	N/A	
	Approximate Size:	Irregular-shaped	
	Approximate Area:	1,334.1 m ² (14,360.13 ft ²)	
	Other Information:	Public Highway	
	<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	Mar. 23, 2022	Signed by Scott Delahunt
Director, Transaction Services, Alison Folosea	Mar. 24, 2022	Signed by Alison Folosea
Executive Director, Corporate Real Estate Management, Patrick Matozzo	Mar. 25, 2022	Signed by Patrick Matozzo
Deputy City Manager, Corporate Services, Josie Scioli	Mar. 25, 2022	Signed by Josie Scioli
Return to: Mike Saffran (mike.saffran@toronto.ca) Metro Hall, 2nd floor – DAF 2022-055		

Consultation with Councillor(s):	
Councillor:	John Fillion
Contact Name:	Catherine Leblanc-Miller
Contacted by	<input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	No objections – March 22, 2022
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 / City Planning	Division:	Finance / ECS / Toronto Water
Contact Name:	Lukasz Pawlowski & Troy Caron / Guy Matthew	Contact Name:	Ciro Tarantino / Wayne Browne / Ronald Naraine
Comments:	Concurs with DAF – March 10 & 11, 2022	Comments:	Concurs– FIS / Comments Provided – Mar 10/22
Real Estate Law Contact:	Rebecca Hartley	Date:	March 4, 2022/ March 18, 2022
Planning & Tribunal Law:	Sarah O'Conner	Date:	March 22, 2022

Appendix "A" – Site Map and DRAFT Reference Plan updated February 9, 2022

