

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

<b>Prepared By:</b>	Mark MacSorley	<b>Division:</b>	Corporate Real Estate Management
<b>Date Prepared:</b>	May 24, 2022	<b>Phone No.:</b>	416-392-3891
<b>Purpose:</b>	To declare surplus a City-owned parcel of land being a part of 4050 Yonge Street, and to authorize the intended manner of disposal to be by way of an invitation of an offer to purchase from Yonge City Square Inc., the adjacent property owner; subject to the reservation of an easement in favor of the City to allow for public access from the existing Toronto Transit Commission ("TTC") entrance connections to the below-grade York Mills subway station.		
<b>Property:</b>	The lands located at part of 4050 Yonge Street, Toronto, legally described as Part of Lots 99, 100, 101 & 102, Plan 204, designated as Parts 1 & 2 on Plan 66R-26058; City Of Toronto, as shown in Appendix A and on the location map in Appendix B, subject to the reservation of an easement for the City for public ingress and egress purposes over Parts 1 and 2 on Plan 66R-26058; City of Toronto (the "Property").		
<b>Actions:</b>	<ol style="list-style-type: none"> <li>1. The Property be declared surplus, and the intended manner of disposal to be by way of inviting an offer to purchase from Yonge City Square Inc.</li> <li>2. Notice be published in a newspaper in circulation in the area of the Property 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 implications as identified in the Financial Impact section.</p>		
<b>Background:</b>	<p>TTC transferred the Property to the City on April 4, 2012 and the Property was not acquired through expropriation proceedings.</p> <p>Pursuant to Item No. <a href="#">EX32.5</a>, approved by City Council at its meeting on May 25, 26 and 27, 2009, Council declared surplus Parts 1-6 on Sketch PS-2005-100 (as shown in Appendix C), conditional on TTC declaring the property surplus (in whole or in part) to their operational needs, and subject to the retention of those areas and interests required to satisfy TTC's operation requirements.</p> <p>Pursuant to Item No. <a href="#">GM33.20</a>, approved by City Council at its meeting on August 25, 26 and 27, 2010, Council authorized to transfer Parts 1, 2, 3, and 4 on 66R-22242 to Build Toronto, except Parts 5 and 6 on 64R-12249, a below-grade strata for an existing tunnel in Part 4, and an easement over Part 4 and 3 metres surrounding the strata for maintenance of the tunnel in Part 4, Plan 64R-12249. In accordance with GM33.20, the City retained Parts 5 and 6 on 64R-12240. However, instead of retaining the below-grade strata in Part 4 and an easement over Part 4 and 3 metres surrounding the strata, the City retained the fee simple interest in Part 4 plus additional buffer lands. All of the retained lands is described as Parts 1 and 2 on 66R-26058.</p>		
<b>Comments:</b>	<p>Since there was a carve-out from the declared surplus authority in GM32.5 as certain lands were required by TTC and other required interests, Parts 1 and 2 on 66R-26058 (being the lands proposed to be sold to York Park Plaza Inc.) have not been previously declared surplus.</p> <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 Property. No municipal interest was expressed. 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.</p>		
<b>Property Details:</b>	<b>Ward:</b>	Ward 8 - Eglinton-Lawrence	
	<b>Assessment Roll No.:</b>	1906-04-1-040-04000	
	<b>Approximate Area:</b>	Parts 1 & 2 - 66R-26058 - 293.6 m <sup>2</sup>	
	<b>Other Information:</b>		
	<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.]**
  - 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.

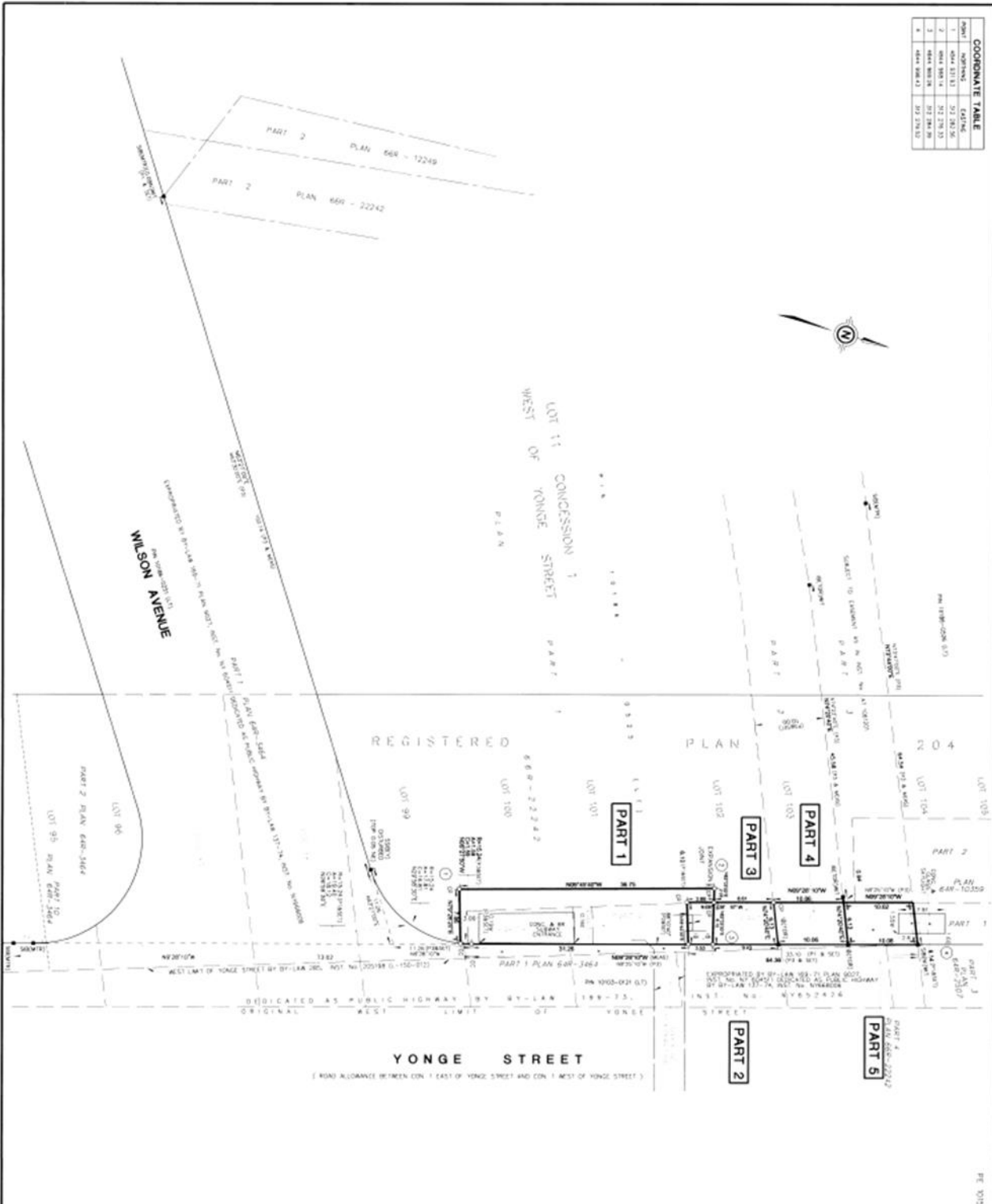
Title	Date	Recommended/ Approved
Manager, Real Estate Services	May 25, 2022	Signed by Ronald Ro
Director, Real Estate Services	May 25, 2022	Signed by Alison Folosea
Executive Director, Corporate Real Estate Management	May 31, 2022	Signed by Patrick Matozzo
Deputy City Manager, Corporate Services	May 31, 2022	Signed by Josie Scioli
<b>Return to: Mark MacSorley Real Estate Services Metro Hall, 55 John St, 2<sup>nd</sup> Floor</b>		

Consultation with Councillor(s):					
Councillor:	Mike Colle				
Contact Name:	Paul Tye-Ko				
Contacted by	Phone	x	E-mail	Memo	Other
Comments:	No Objections (05/12/2022)				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail	Memo	Other
Comments:					

Consultation with other Division(s):			
Division:	Toronto Transit Commission	Division:	Financial Planning
Contact Name:	Matthew Taylor	Contact Name:	Ciro Tarantino
Comments:	No Objections (05/18/2022)	Comments:	No Comments/Concerns
Real Estate Law Contact:	Shirley Chow Concurs (05/04/2022)	Date:	05/05/2022

# Appendix A Plan 66R-26058

COORDINATE TABLE	
POINT	COORDINATE
1	4844 980.13
2	4844 980.14
3	4844 980.15
4	4844 980.16



PROPERTY INFORMATION		PLAN INFORMATION	
PLAN NUMBER	DATE	PLAN NUMBER	DATE
66R-26058	2014	66R-26058	2014

SCHEDULE	
PART	AREA (sq. m)
1	271.0
2	22.6
3	59.0
4	61.3
5	61.3

**PLAN OF SURVEY OF  
PART OF LOTS 99, 100, 101, 102,  
103 AND 104  
REGISTERED PLAN 204**

**CITY OF TORONTO  
FORMERLY CITY OF NORTH YORK**

**LEGEND**

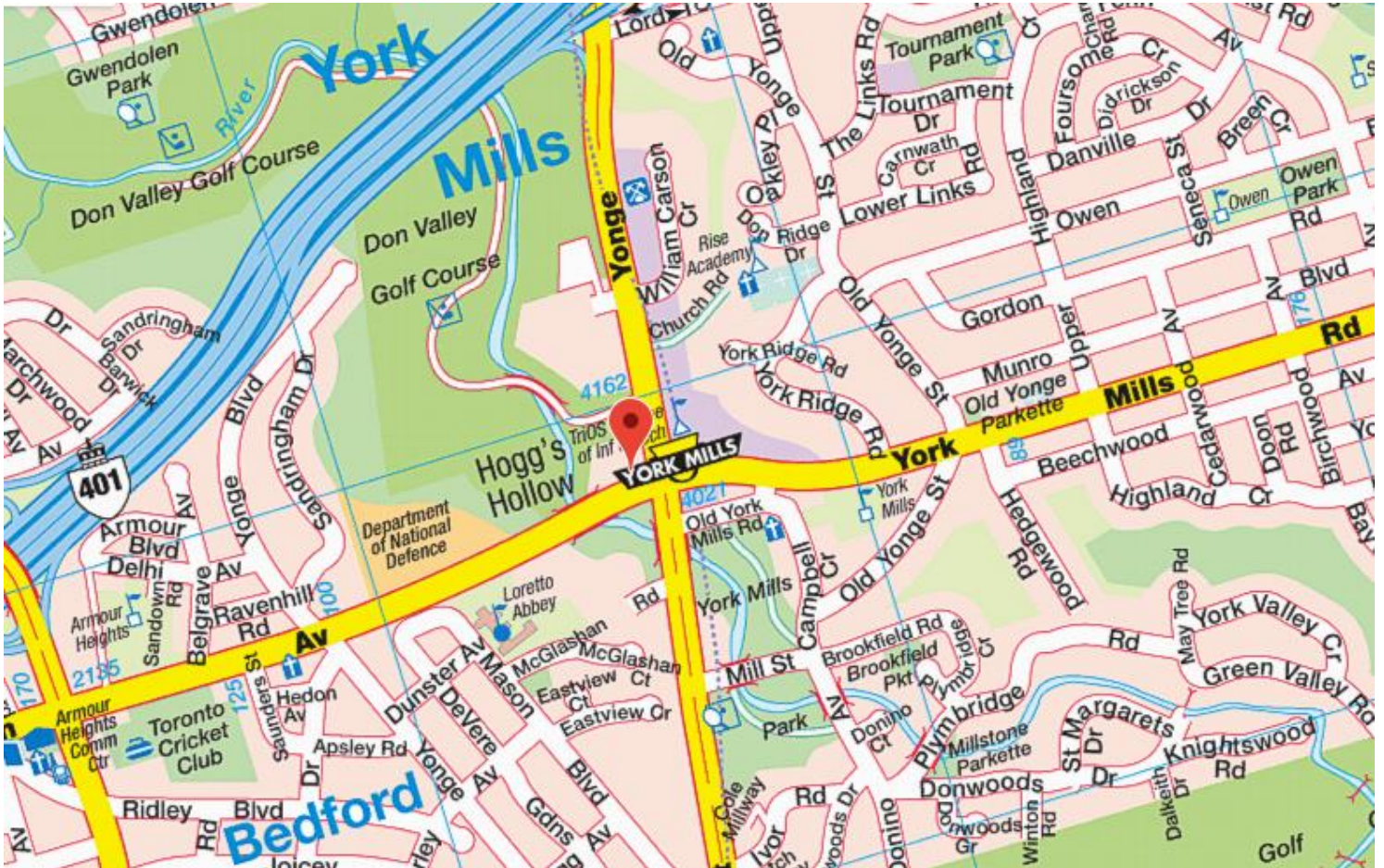
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**TORONTO**  
Survey and Utility Mapping  
14 York Street  
Toronto, Ontario  
M5B 1K5

**YORK MILLS COMMUTER LOT**

**JOB NUMBER: 2014044**  
**PLAN NUMBER:**

Appendix B  
Location Map



Appendix C  
PS Sketch 2005-100

