

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:	October 5, 2022	Phone No.:	(416) 392-7205
Purpose:	To declare surplus the City-owned parcel of land located at the rear of 276 Lauder Avenue and to authorize the invitation of an offer to purchase the property from the owner at 276 Lauder Avenue, (the "Owner").		
Property:	A parcel of City-owned lands adjacent to 276 Lauder Avenue, shown as Part 1 on Sketch No. PS-2022-019 (the "Property"), also shown on Appendix "A".		
Actions:	<ol style="list-style-type: none"> 1. The Property be declared surplus, subject to the retention of any required easements over the entire Property for any required municipal purposes. 2. An offer to purchase the Property be invited from the Owner. 3. Notice be published in a newspaper in circulation in the area of the Property and be posted on the City's website. 4. 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 impact information.		
Background:	In 1984, the Owner, believing that they had the full ownership of the Property, proceeded to build a double car garage on the Property with the knowledge and approval of the then Borough of York. Borough Officials did not notify the Owner that the Property was acquired by The Corporation of the Borough of York through a municipal tax sale in 1974. The garage has been in place for the last 38 years and was not identified as City-owned until the Owner listed 276 Lauder Avenue for sale on the open market and learned that the Property was not a part of 276 Lauder Avenue. The Property was not acquired through expropriation proceedings.		
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. 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.		
Property Details:	Ward:	9 - Davenport	
	Assessment Roll No.:	1914-0221-0004800	
	Approximate Size:	Frontage: 6.1 m (20.01 ft ±) Depth: 8.4 m (27.56 ft ±)	
	Approximate Area:	51.0 m ² ± (549.0 ft ² ±)	
	Other Information:	Land and building	
	<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
Acting Manager, Transaction Services Van Hua	Oct. 11, 2022	Signed by Van Hua
Director, Transaction Services Alison Folosea	Oct. 14, 2022	Signed by Alison Folosea
Executive Director, Corporate Real Estate Management Pat Matozzo	Oct. 17, 2022	Signed by Patrick Matozzo
Deputy City Manager, Corporate Services Josie Scioli	Oct. 18, 2022	Signed by Josie Scioli
Return to: Mike Saffran (mike.saffran@toronto.ca) DAF 2022-221		

Consultation with Councillor(s):					
Councillor:	Ana Bailao				
Contact Name:	Marco Dezi				
Contacted by	Phone	X	E-mail	Memo	Other
Comments:	No objections – October 3, 2022				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail	Memo	Other
Comments:					

Consultation with other Division(s):			
Division:		Division:	Finance
Contact Name:		Contact Name:	Filisha Jenkins
Comments:		Comments:	Concurs with FIS – October 3, 2022
Real Estate Law Contact:	Rebecca Hartley/Frank Weng	Date:	October 4, 2022

Appendix "A" – location map & Sketch No. PS-2022-019

