

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:	June 5, 2023	Phone No.:	(416) 392-7205
Purpose:	To revise the intended manner of sale of the City-owned public lane located between Blackbush Drive and Netherly Drive (the "Public Lane") as shown on the location map attached hereto as Appendix "A".		
Property:	The public lane extending between Blackbush Drive and Netherly Drive, Toronto, legally described as PCL PLAN-1, SEC M1040 Public Lane, Plan M1040 Etobicoke, City of Toronto, shown as Parts 1 to 8 on Sketch No. PS-2023-010, attached hereto as Appendix "B".		
Actions:	1. The intended manner of sale of the Public Lane be revised to authorize the invitation of offers to purchase from the owners of each of 31 and 33 Blackbush Drive and 28 and 30 Netherly Drive based on Sketch No. PS-2023-010, in a manner designed, in the opinion of staff, to ensure that the City is not left owning any remnant parts of the Public Lane.		
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 accordance with the City's Real Estate Disposal By-law 814-2007, the Public Lane was declared surplus on February 1, 2018 (DAF 2018-032), with the intended manner of sale to be through the invitation of offers to purchase from the owners of 31 and 33 Blackbush Drive and 23 and 30 Netherly Drive based on Sketch No. PS-2017-002, and in a manner designed, in the opinion of staff, to ensure that the City is not left owning any remnant parts of the Public Lane.		
Comments:	The amendment to DAF 2018-032 is required to substitute Sketch No. PS-2017-002 with the updated Sketch No. PS-2023-010 in order to identify future easement locations, being Parts 3, 4, 5 and 6 on Sketch No. PS-2023-010, in preparation for the granting of easements to Toronto Hydro-Electric System Limited ("Toronto Hydro") and Bell Canada ("Bell") following the closure of the Public Lane and prior to conveyance of the Public Lane to the Adjoining Owners (the "Contemplated Easements"), and to invite offers to purchase from the owners of 28 Netherly Drive in place of the owner of 23 Netherly Drive. There are existing Toronto Hydro and Bell easements that run along the back of the Adjoining Owners' lands.		
Property Details:	Ward:	1 – Etobicoke North	
	Assessment Roll No.:	N/A	
	Approximate Size:	3.0 m x 63.4 m ± (9.8 ft x 208.0 ft ±)	
	Approximate Area:	204.2 m ² ± (2,198.0 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:

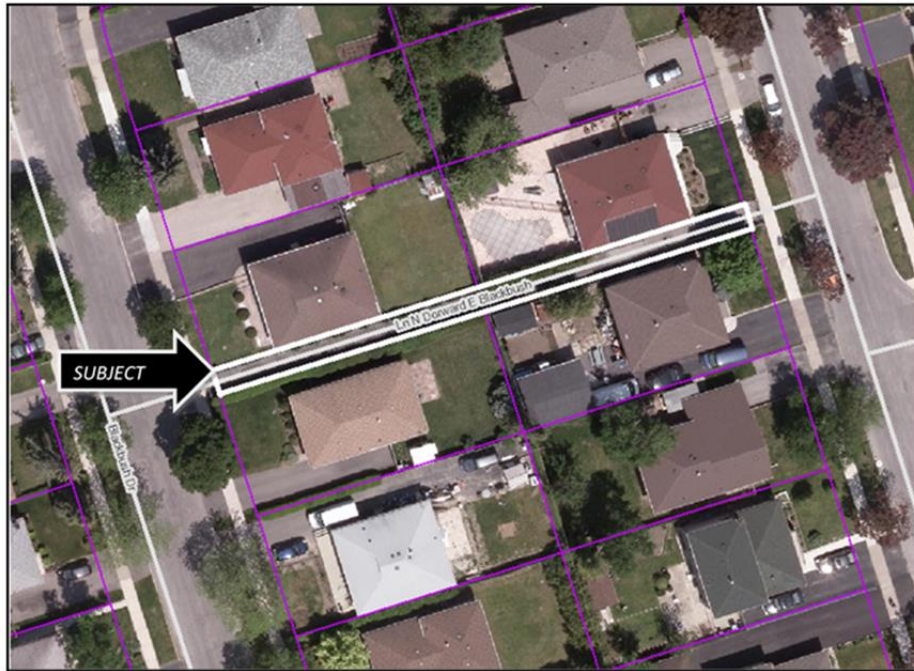
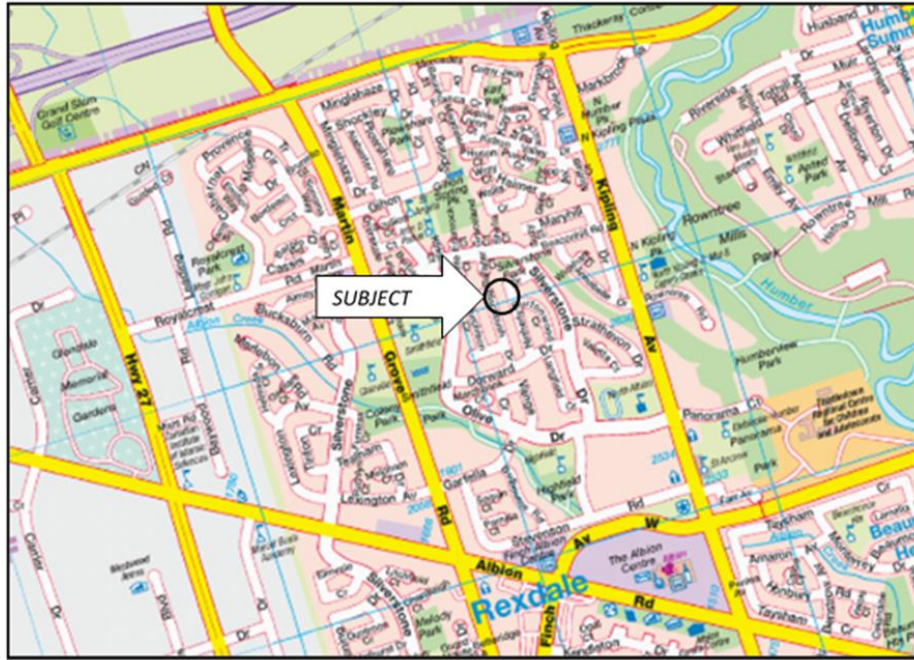
- (1) declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the appropriate standing committee (§ 213-1.6).
 - Councillor does not require 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 (§ 213-1.7).
 - 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 (§ 213-1.4):
 - (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 (§ 213-1.5):
 - (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 Vinette Prescott-Brown	June 8, 2023	Signed by Vinette Prescott-Brown
Director, Transaction Services Alison Folosea	June 12, 2023	Signed by Alison Folosea
Executive Director, Corporate Real Estate Management Patrick Matozzo	June 13, 2023	Signed by Patrick Matozzo
Deputy City Manager, Corporate Services Josie Scioli	June 13, 2023	Signed by Josie Scioli
Return to: DAF 2023-126 Mike Saffran (mike.saffran@toronto.ca)		

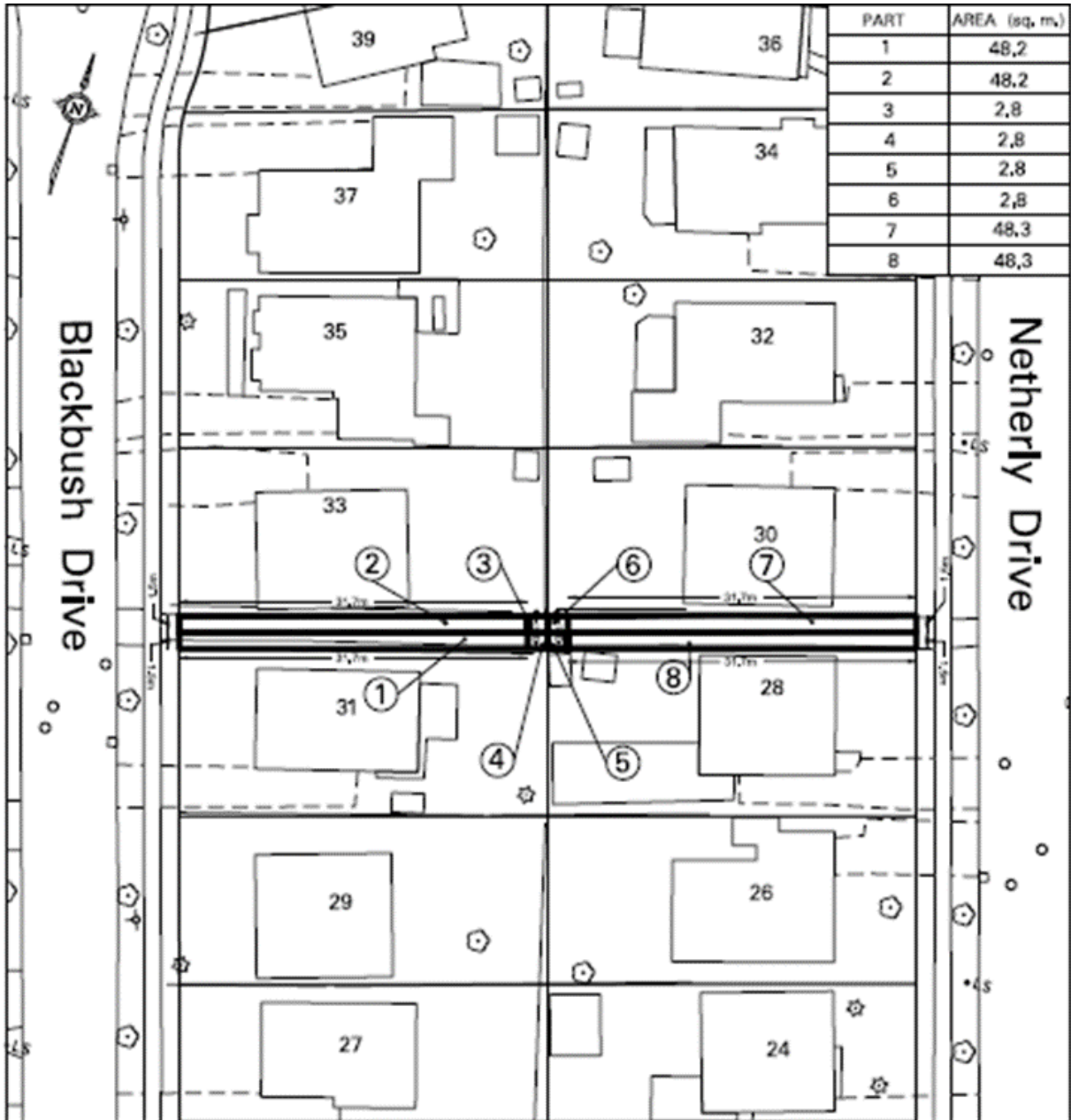
Consultation with Councillor(s):	
Councillor:	Vincent Cristanti
Contact Name:	Daniel Fleming, Amanda Da Costa
Contacted by	<input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	No objections
Councillor:	
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	Division:	Finance
Contact Name:	Troy Caron	Contact Name:	Ciro Taratino
Comments:	Consulted	Comments:	Concurs with FIS
Real Estate Law Contact:	Michelle Xu	Date:	May 11, 2023

Appendix "A" – LOCATION MAP



APPENDIX "B"
 Sketch No. PS-2023-010



PART	AREA (sq. m.)
1	48,2
2	48,2
3	2,8
4	2,8
5	2,8
6	2,8
7	48,3
8	48,3



NOTE:
 THIS SKETCH HAS BEEN
 COMPILED FROM OFFICE
 RECORDS, MEASUREMENTS
 ARE APPROXIMATE

CHECK BY ANA MICHALEK
 PREPARED BY DWAYNE PETT

PROPERTY INFORMATION SHEET
 SKETCH SHOWING PUBLIC LANE EXTENDING
 BETWEEN BLACKBUSH DRIVE AND NETHERLY DRIVE

WARD 1 • ETOBICOKE NORTH
 DATE: FEBRUARY 28, 2023

SKETCH No. PS-2023-010