

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:	April 4, 2024	Phone No.:	(416) 392-7205
Purpose:	To declare surplus the City-owned public lane located between 10 and 16 Eastern Avenue and to authorize the invitation of an offer to purchase the property from the owner of the adjacent properties municipally known as 101 Trinity Avenue and 10 Eastern Ave (the "Owner").		
Property:	The City-owned public lane between 10 and 16 Eastern Avenue, legally described as PT Lane PL 242E Toronto South of the Lands Described in ES67802 & West of the Lands described in CT680499 (Tenthly Described); PT LT 5, 7 PL242E as in ES1750, being all of PIN 21079-0106 and shown as Part 5 on Plan 66R-32512 (the "Lane"), also shown on Appendix "A".		
Actions:	<ol style="list-style-type: none"> 1. The Lane be declared surplus subject to the retention of any required easements over the entire Lane for any required municipal purposes, and conditional upon City Council approving the permanent closure of the Lane and an invitation of an offer to purchase be offered from the Owner. 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 impact information.		
Background:	<p>The Owner approached the City to acquire the Lane to improve access for their tenant in the short term and to facilitate future re-development of the broader site. Transportation Services has reviewed this request and has determined the Lane is not required for municipal purposes.</p> <p>The Lane was not acquired through expropriation proceedings and was established as a public highway through deposit of Plan 242E and pursuant to Bylaw No. 15418 passed July 22, 1940 and registered on title as instrument number ES17374.</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:	13 – Toronto Centre	
	Assessment Roll No.:	N/A	
	Approximate Size:	Irregular shaped	
	Approximate Area:	89.0 m ² (998.0 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, Portfolio Management Vinette Prescott-Brown	April 8, 2024	Signed by Vinette Prescott-Brown
Director, Transaction Services Alison Folosea	April 23, 2024	Signed by Alison Folosea
Executive Director, Corporate Real Estate Management Patrick Matozzo	April 23, 2024	Signed by Patrick Matozzo
Deputy City Manager, Corporate Services David Jollimore	April 23, 2024	Signed by David Jollimore
Return to: Mike Saffran (mike.saffran@toronto.ca) DAF 2024-062		

Consultation with Councillor(s):						
Councillor:	Chris Moise					
Contact Name:	Edward LaRusic					
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 / Waterfront Secretariat	Division:	Finance
Contact Name:	Troy Caron / Christian Giles	Contact Name:	Ciro Tarantino
Comments:	No comments. Concurs with submission of DAF.	Comments:	Concurs with FIS
Real Estate Law Contact:	Catherine Thomas	Date:	March 28, 2024

