

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

Prepared By:	Winnie Lam	Division:	Corporate Real Estate Management
Date Prepared:	November 19, 2024	Phone No.:	437-991-8040

Purpose: To declare surplus part of the City-owned land located at 23 Barberry Place and to authorize the invitation of an offer to purchase the property from the previous owners (the "Purchaser").

Property: Part of the City-owned parcel of land located at 23 Barberry Place, legally described as being Part of Lot 15, Concession 2, East of Yonge Street, Toronto being part of PIN 10090-0041(LT) and designated as Part 1 on Plan 66R-34305, also shown on Appendix "A" (the "Property").

- Actions:**
1. The Property be declared surplus, and an offer to purchase the Property be invited from the Purchasers.
 2. 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: By registration of Expropriation Plan AT4797618 on February 6, 2018 (the "Expropriation") the City expropriated lands, including the Property, for the construction of an extension to Thomas Clark Way. Transportation Services have determined that the Property is no longer required for the road.

The Purchasers own the adjacent lands at 25 Barberry Place and, pursuant to the Expropriations Act, brought a claim against the City for injurious affection arising from the Expropriation. Negotiations have resulted in a full and final settlement of all the Purchaser's claims, which includes the conveyance of the Property back to the Purchaser.

Comments: The Technical Review Committee has reviewed this matter and concurs with the declaration of surplus.

Property Details:	Ward:	17—Don Valley North
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	127 m ² ± (1367 ft ² ±)
	Other Information:	

Yes No Lands are located within the Parks & Open Space Areas of the Official Plan, within or outside of the Green Space System.

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 Parks & Open Space Areas of the Official Plan, within or outside of the Green Space System:**
 - A. A site-specific Official Plan Amendment has been enacted and is in force exempting the lands from the prohibition on sale or disposal; or
 - B. The Chief Planner & Executive Director of City Planning and the General Manager of Parks, Forestry & Recreation have confirmed that:
 - (a) the land being exchanged is (i) nearby land of equivalent or larger area, and (ii) of comparable or superior green space utility; or
 - (b) the sale or disposal satisfies the criteria for sale or disposal in Policy 4.3.9 of the Official Plan.

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, Real Estate Services Vinette Prescott-Brown	Nov. 20, 2024	Signed by Vinette Prescott-Brown
Director, Real Estate Services Alison Folosea	Nov 21, 2024	Signed by Alison Folosea
Executive Director, Corporate Real Estate Management Patrick Matozzo	Nov. 26, 2024	Signed by Patrick Matozzo
Deputy City Manager, Corporate Services David Jollimore	Dec. 3, 2024	Signed by David Jollimore
Return to:		

Consultation with Councillor(s):					
Councillor:	Ward 17—Don Valley North				
Contact Name:	Councillor Shelley Carroll				
Contacted by	Phone	X	E-mail	Memo	Other
Comments:	No issues.				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail	Memo	Other
Comments:					

Consultation with other Division(s):			
Division:	Transportation Services	Division:	Financial Planning
Contact Name:	Sonali Prahara	Contact Name:	Ciro Tarantino – No issues
Comments:	No issues.	Division:	Legal- Planning & Administrative Tribunal Law
Real Estate Law Contact:	Vanessa Bacher	Contact Name:	Nathan Muscat

Appendix "A" – Reference Plan and Location Map

