

Approved pursuant to the Delegated Authority contained in Government Management Committee Item GM6.18 entitled "Policy with Respect to the Sale/Disposition of Land" adopted as amended by City Council on July 16, 17, 18 and 19, 2007. By-law No. 814-2007, enacted on July 19, 2007.

<b>Prepared By:</b>	Leila Valenzuela	<b>Division:</b>	Real Estate Services
<b>Date Prepared:</b>	March 15, 2012	<b>Phone No.:</b>	392-7174
<b>Purpose:</b>	To declare surplus the City-owned vacant land municipally known as 90 Ward Street, subject to retaining an easement over the property for a City watermain and granting an easement to Toronto Hydro and Bell Canada to protect existing infrastructure, and to authorize the invitation of an offer to purchase from the owner of 80 Ward Street.		
<b>Property:</b>	Vacant land municipally known as 90 Ward Street, being Block F on Plan M213 and shown as Part 1 on Sketch No. PS-2003-063 (the "Property").		
<b>Actions:</b>	<ol style="list-style-type: none"> <li>1. The Property be declared surplus, subject to retaining an easement over the entire property in favour of the City for an existing watermain and the granting of easements (over an area to be determined) in favour of Toronto Hydro and Bell Canada for their existing infrastructures.</li> <li>2. An offer to purchase the Property be invited from the owner of 80 Ward Street.</li> <li>3. Notice be published in a newspaper in circulation in the area of the Property and posted on the City's website.</li> <li>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.</li> </ol>		
<b>Financial Impact:</b>	There are no financial implications resulting from this approval. The Deputy City Manager and Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.		
<b>Background:</b>	<p>The former Municipality of Metropolitan Toronto assumed the property in 1954 for waterworks system purposes. In 2001, the City entered into License Agreement with Jushro Developments Ltd. ("JDL") for the use of the Property for parking for its employees, agents and tenants at JDL's properties known municipally as 80 Ward Street. The Licence Agreement was for a five (5) year term effective from February 1, 2001 to January 31, 2006, with an overholding clause. The tenant is currently on a month-to-month overholding basis.</p> <p>JDL would rather acquire the Property rather than renew the licence.</p>		
<b>Comments:</b>	<p>A circulation to the City's ABCDs was undertaken to ascertain whether or not there is any municipal interest in retaining the Property. Toronto Water advised the property is surplus to their requirements, subject to the retention of an easement over the entire property for the operation and maintenance of a 1350 mm trunk water main. Toronto Hydro requires a 3 metre wide easement for existing hydro poles and overhead wires. Bell Canada advises it will require an easement (over an area to be determined) for existing infrastructures. Enbridge Gas advised that it has a permanent easement over the Property for a 300 mm gas main. Staff of the Affordable Housing Office have determined that there is no interest in the Property for affordable housing.</p> <p>Accordingly, it is appropriate that the Property be declared surplus. The Property Management Committee has reviewed this matter and concurs.</p>		
<b>Property Details:</b>	<b>Ward:</b>		18 – Davenport
	<b>Assessment Roll No.:</b>		1904-03-1-520-00200
	<b>Approximate Size:</b>		20 m x 67 m ± (65.6 ft x 219.8 ft ±)
	<b>Approximate Area:</b>		1,339 m <sup>2</sup> ± (14,413.3 ft <sup>2</sup> ±)
	<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 GM 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 and the GM 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.

**Chief Corporate Officer has approval authority for:**

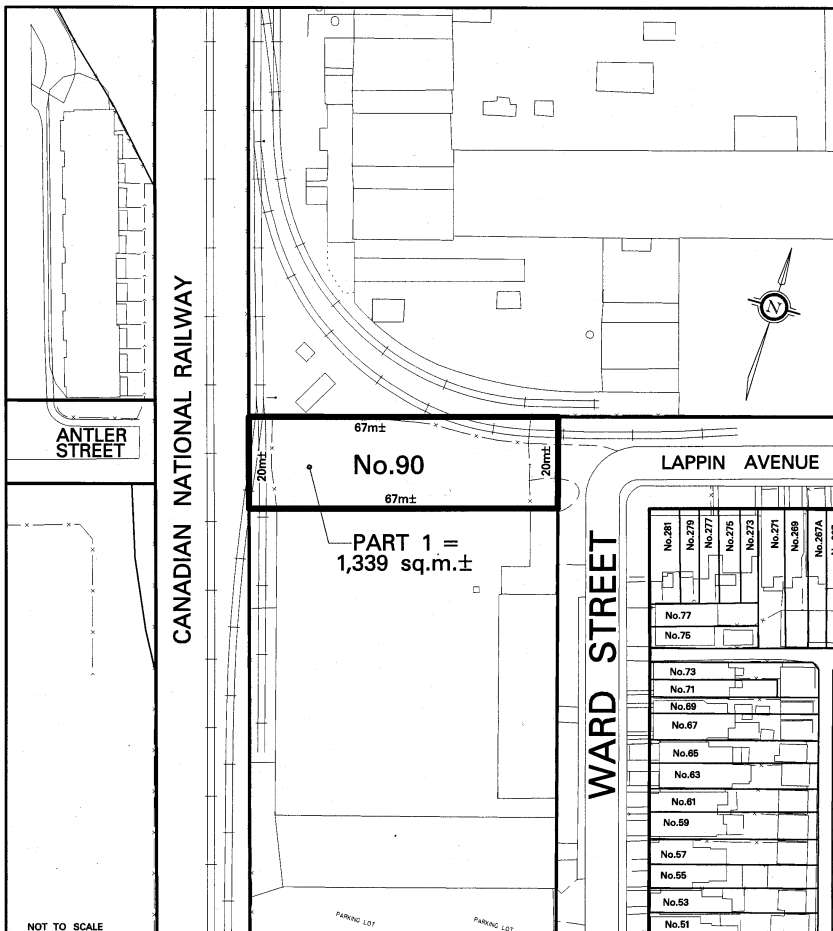
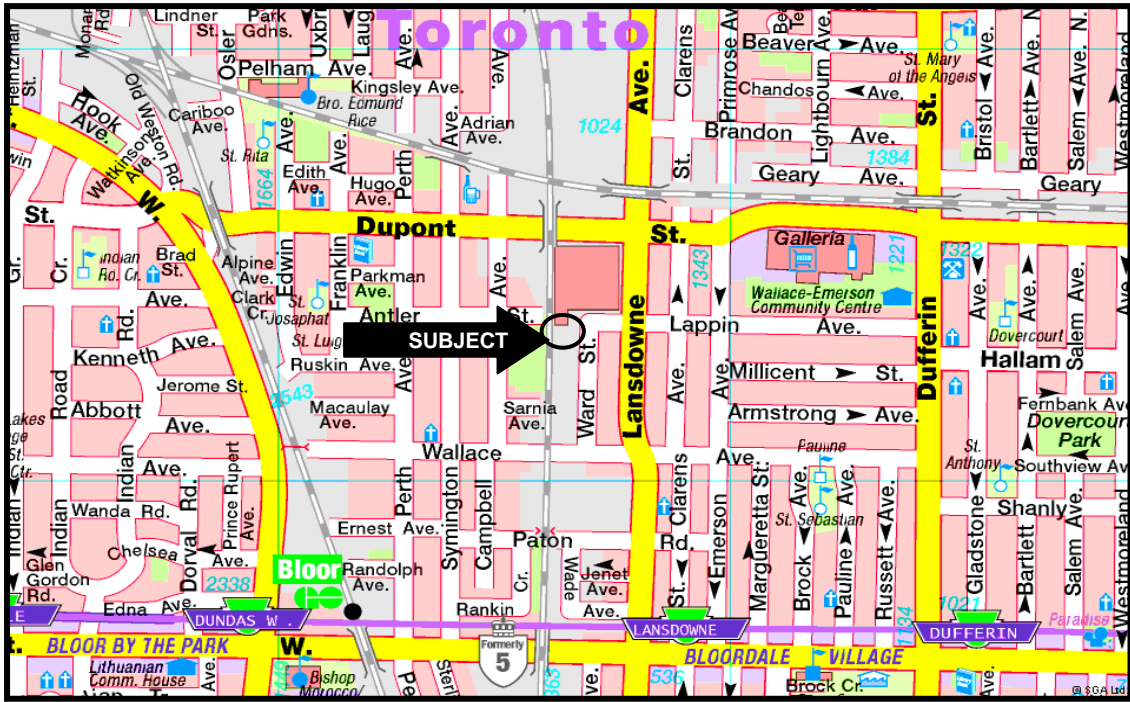
- A (1)** declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
  - Councillor does not require 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
Manager		
Director		
Chief Corporate Officer	March 26, 2012	Bruce Bowes
<b>Return to:</b>		
Leila Valenzuela 2 <sup>nd</sup> Floor, Metro Hall 392-7174		
<b>DAF Tracking No.: 2012-055</b>		

Consultation with Councillor(s):						
Councillor:	Ana Bailao					
Contact Name:	Ana Bailao					
Contacted by	Phone	x	E-mail		Memo	Other
Comments:	<ul style="list-style-type: none"> <li>• Concurs with recommendation</li> <li>• Does not require the matter to be determined by Council</li> <li>• Does not require further consultation re: public notice</li> </ul>					
Councillor:						
Contact Name:						
Contacted by	Phone		E-mail		Memo	Other
Comments:						

Consultation with other Division(s):			
Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Karin Dahm
Comments:		Comments:	Concurs with Financial Impact
Real Estate Law Contact:	Michele Desimone	Date:	March 12, 2012

Appendix "A"  
Site Map and PS-Sketch



**TORONTO**

WORKS & EMERGENCY SERVICES  
TECHNICAL SERVICES DIVISION  
SURVEY & MAPPING

NOTE: THIS SKETCH HAS  
BEEN COMPILED FROM  
OFFICE RECORDS.

PROPERTY INFORMATION SHEET

CITY OWNED LAND  
No. 90 WARD STREET

WARD 18 - DAVENPORT  
DATE: MAY 9, 2003

SKETCH No. PS-2003-063

Appendix "B"  
Aerial Map

