

TO:	CHAIR AND MEMBERS FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE MEETING ON MARCH 26, 2012
FROM:	TOM JOHNSON MANAGING DIRECTOR – CORPORATE ASSETS
SUBJECT:	PROPERTY DISPOSITION 567 ROSECLIFFE TERRACE BLOCK 66 AND 73, PLAN 33M-119

RECOMMENDATION

That, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager Realty Services, with respect to the vacant, City owned land known as 567 Rosecliffe Terrace, legally described as Blocks 66 and 73, Plan 33M-119, measuring approximately 20m x 38m and containing an area of 760 square meters, as shown on Schedule "A" attached, the following actions **BE TAKEN**:

- a) Block 73, Plan 33M-119, **BE DECLARED SURPLUS**, and the subject lands be **BE TRANSFERRED** to Drewlo Holdings Limited (the corporate successor of Ardshell Limited), pursuant to a Subdivision Agreement, registered as Instrument Number 75277 dated July 24, 1984; and
- b) Block 66, Plan 33M-119, **BE DECLARED SURPLUS**, and the subject lands **BE TRANSFERRED** to the adjoining land owner, 1767127 Ontario Limited, for an nominal sum of \$2.00.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

January 26, 2012 - Report to a Public Participation meeting at Planning and Environment Committee on an application by 1767127 Ontario Limited

February 1, 2012 - Council Resolution regarding Zoning By-law Amendment, Draft Plan of Vacant Land Condominium and Site Plan Approval on property located at 567 Rosecliffe Terrace (formerly 633 Commissioners Road West) and Blocks 66 and 73, Plan 33M-119

BACKGROUND

Location:	567 Rosecliffe Terrace
Area:	760m ² (20m x 38m)
Zoning:	R1-9 (low density residential)
Official Plan:	Low Density Residential

The subject property was acquired by the City as part of a Subdivision Agreement (Instrument Number 75277) in 1984 with Ardshell Limited. According to Section 27(y) of that Subdivision Agreement, the City agreed to deed back Block 73, at no cost, if Block 73 was not required for road allowance purposes.

In November, 1998, Ardshell amalgamated with Drewlo Holdings Limited.

According to Appendix A, Condition No. 15 of the Council Resolution dated February 1, 2012, "The Approvals Authority's conditions and amendments to final approval for registration of this Plan of Condominium, File No. 39CD-09508, are as follows:...Prior to final approval the proposed entranceway access, comprised of Blocks 66 and 73, Plan 33M-119, shall be acquired by purchase in its entirety by the applicant and consolidated with the development site as one parcel."

As the subject parcel is to become part of the condominium, the lands are not required for future right of way purposes. The City is therefore required to return ownership of the lands to the previous owner, Drewlo Holdings Limited (the corporate successor of Ardshell Ltd.), in accordance with the terms outlined in the Subdivision Agreement being Instrument Number 72277.

In the opinion of the Manager of Realty Services, the one foot reserve known as Block 66, Plan 33M-119 located between Block 73 and the lands owned by 1767127 Ontario Limited, is of nominal value and shall therefore be transferred to the adjoining land owner for the nominal sum of \$2.00.

Conclusion

567 Rosecliffe Terrace, also known as Block 73, Plan 33M-119, be declared surplus and transferred back to its original owner Drewlo Holdings Limited (the corporate successor of Ardshell Limited).

Block 66, Plan 33M-119 be declared surplus and disposed of to the adjoining land owner, 1767127 Ontario Limited, for the nominal sum of \$2.00.

A plan is attached for the Committee's information.

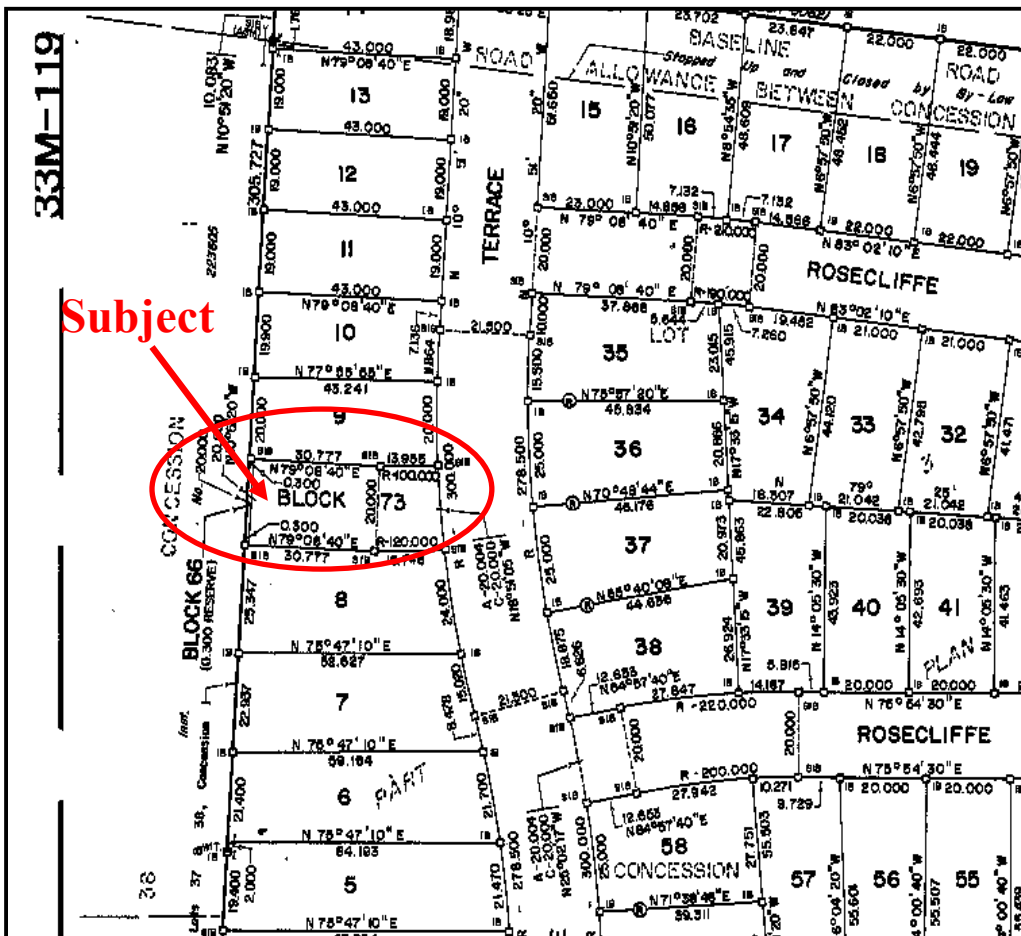
PREPARED BY:	RECOMMENDED BY:
BILL WARNER MANAGER REALTY SERVICES	TOM JOHNSON MANAGING DIRECTOR – CORPORATE ASSETS

March 13, 2012
Attach.

File No. P-2364

cc: David G. Munteer, Solicitor II
Gary Irwin, Chief Surveyor

Schedule "A"



Subject lands consist of Block 66 and 73, Plan 33M-119