



## REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

### Release of Easement at 10 and 20 Meadowglen Place

**Date:** November 16, 2020

**To:** General Government and Licensing Committee

**From:** Executive Director, Corporate Real Estate Management and City Solicitor

**Wards:** Scarborough-Guildwood

#### REASON FOR CONFIDENTIAL INFORMATION

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The attachment to this report pertains to potential litigation against the City of Toronto and contains advice that is subject to solicitor-client privilege.

#### SUMMARY

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In 2015, the City of Toronto (the "City") closed a former public highway located at 10 and 20 Meadowglen Place and sold the property to R.A.B. Properties Limited (the "Developer"). As part of the sale, the City reserved an easement in its favour to protect municipal infrastructure located beneath the property. In 2020, the Developer requested that this easement be released from title to facilitate its development at 10 and 20 Meadowglen Place. Following the release of this easement, the Developer submitted additional appraisal information to the City, disputing the market value paid by the Developer for the release and requesting that this value be adjusted. Confidential Attachment 1 contains information relating to legal advice from the City Solicitor relating to potential litigation and next steps.

#### RECOMMENDATIONS

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The Executive Director, Corporate Real Estate Management and the City Solicitor, recommend that:

1. City Council adopt the confidential instructions to staff in Confidential Attachment 1.
2. City Council direct that the information contained in Confidential Attachment 1 remain confidential in its entirety at the discretion of the City Solicitor, as it pertains to potential litigation involving the City of Toronto and contains advice that is subject to solicitor-client privilege.

## **FINANCIAL IMPACT**

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The financial implications are discussed in Confidential Attachment 1.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact section.

## **DECISION HISTORY**

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At its meeting on July 7, 2015 City Council adopted SC7.2, authorizing the permanent closure of a portion of the public highway abutting 1 and 2 Meadowglen Place.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.SC7.2>

At its meeting on October 24, 2011 City Council adopted SC10.20, which amended the Toronto Official Plan for the lands at 10 and 20 Meadowglen Place.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.SC10.20>

## **COMMENTS**

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In 2015, the City closed a former public highway located at 10 and 20 Meadowglen Place, the cul-de-sac depicted in the location map in Schedule A (the "Property"), and sold the Property to the Developer. As part of the sale, the City reserved an easement in its favour to protect municipal infrastructure located beneath the Property (the "Easement").

The Developer is constructing a residential development at 10 and 20 Meadowglen Place (the "Development"). Through the planning process, the City required the Developer, at its own cost, to relocate the municipal infrastructure located beneath the Property to new roads in its subdivision. The Developer completed this relocation in 2017, but the Easement was not released from title at that time. Again through the planning process, these new roads, and the relocated municipal infrastructure located beneath them, will ultimately be conveyed to the City and dedicated as public highway.

In March, 2020, the Developer requested that the City release the Easement from title to facilitate the Development. In October, 2020, the Easement was released from title (the "Release"). Following the Release, the Developer submitted additional appraisal information to the City, disputing the market value paid by the Developer for the Release and requesting that this value be adjusted.

Confidential Attachment 1 pertains to potential litigation against the City of Toronto and contains advice that is subject to solicitor-client privilege.

## **CONTACT**

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Alison Folosea, Director, Transaction Services, Corporate Services, 416-338-2998,  
[Alison.Folosea@toronto.ca](mailto:Alison.Folosea@toronto.ca)

Ray Mickevicius, Director, Real Estate, Legal Services, 416-392-3912,  
[Ray.Mickevicius@toronto.ca](mailto:Ray.Mickevicius@toronto.ca)

Roberto Zuech, Solicitor, Litigation, Legal Services, 416-392-3735,  
[Roberto.Zuech@toronto.ca](mailto:Roberto.Zuech@toronto.ca)

## **SIGNATURE**

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Patrick Matozzo  
Executive Director, Corporate Real Estate Management

Wendy Walberg  
City Solicitor

## **ATTACHMENTS**

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Schedule A - Location Map  
Confidential Attachment 1 - Confidential Instructions to Staff  
Confidential Attachment 1 - Confidential Appendix 1

**SCHEDULE A**  
Location Map



