

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.

Prepared By:	Simona Rasanu	Division:	Real Estate Services
Date Prepared:	February 17, 2015	Phone No.:	416-397-7682
Purpose:	To declare surplus a long-term easement interest (21 years or more) in the easternmost portion of a City-owned vacant parcel of land south of Pirandello Street, rear of 65-75-85 East Liberty Street, with the intended manner of disposal to be by way of a permanent easement to Toronto Hydro-Electric System Limited ("Toronto Hydro") for construction and maintenance of two duct structures as part of a new tunnelled crossing of the Metrolinx corridor north of the Gardiner Expressway.		
Property:	Permanent easement interest in and under a portion of City-owned land south of Pirandello Street, rear of 65-75-85 East Liberty Street, legally described as Part of Block 11, The Ordnance Reserve, being Part 4 on Plan 66R-27169 (the "Easement"), also shown on Appendix "A".		
Actions:	<ol style="list-style-type: none"> 1. The Easement be declared surplus with the intended manner of disposal to be by way of an easement to Toronto Hydro for construction and maintenance of infrastructure. 2. An exemption be granted from the requirement to give notice to the public and to obtain an appraisal with respect to the Easement. 3. All steps necessary to comply with the City's real estate disposal process, as set out in Chapter 2013 of the City of Toronto Municipal Code, be taken. 		
Financial Impact:	There are no financial implications resulting from this approval.		
Background:	The City was conveyed a parcel of land in 2012 as a result of a subdivision agreement for future road extension. Toronto Hydro has requested the Easement in and under a portion of this land to construct and maintain two concrete encased duct structures and allow for future maintenance access in connection with a proposed tunneled crossing of the Metrolinx corridor north of the Gardiner Expressway. The objective is to replace the existing deteriorating hydro infrastructure crossing the rail corridor at Strachan Avenue with a new railway crossing near Pirandello Street which will connect to infrastructure constructed on East Liberty Street as part of the Strachan Avenue Grade Separation project.		
Comments:	<p>A circulation to the City's ABCDs was undertaken to ascertain whether there are any municipal objections to granting the Easement. No municipal objections were expressed. Engineering & Construction Services staff are agreeable with Toronto Hydro's proposal.</p> <p>Accordingly, it is appropriate that the Easement be declared surplus. The Property Management Committee has reviewed this matter and concurs.</p>		
Property Details:	Ward:	19 – Trinity Spadina	
	Approximate Area:	160 m ² ± (1, 722.23 ft ² ±)	
<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
 - Councillor(s) agrees with exemption from appraisal. **[Revise box to an x if any of (4)(a)-(f) applies.]**
 - 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	Feb. 27, 2015	Brian Varner for Joe Casali
Chief Corporate Officer	Feb. 28, 2015	Josie Scioli
Return to: Simona Rasanu Real Estate Services Metro Hall, 55 John Street, 2nd Fl (416) 397-7682		
DAF Tracking No.: 2015-035		

Consultation with Councillor(s): February 17, 2015	
Councillor:	Mike Layton
Contact Name:	Heather Leger
Contacted by	Phone <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	<ul style="list-style-type: none"> Concurs with recommendation Does not require the matter to be determined by Council Does not require further consultation re: public notice
Councillor:	
Contact Name:	
Contacted by	Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	

Consultation with other Division(s):			
Division:	Engineering & Construction Services	Division:	Financial Planning
Contact Name:	Congming Ren	Contact Name:	Anthony Ng
Comments:	Comments have been incorporated	Comments:	Concurs with Financial Impact
Real Estate Law Contact:	Ray Mickevicius	Date:	February 9, 2015

