

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:	Susan Lin	Division:	Real Estate Services
Date Prepared:	July 6, 2015	Phone No.:	392-4135

Purpose: To declare surplus a long-term easement interest (21 years or more) in and over a portion vacant land adjacent to 1817 Eglinton Avenue West, with the intended manner of disposal to be by way of an easement to Enbridge Gas Distribution Inc. ("Enbridge") for the purpose of relocating its existing infrastructure as a result of the Eglinton-Scarborough Crosstown Transit Project.

Property: A permanent easement interest in and over a portion of vacant land adjacent to 1817 Eglinton Avenue West, being part of Lot 30, Concession 3 FTB, described as part of Lot 1, Plan 423, shown as Parts 9 & 10 on Plan 64R-9888 (the "Property"), which easement interest is shown as Parts 1 & 2 on Reference Plan 66R-28078 on Schedule "A" attached (the "Easement").

- Actions:**
1. The Easement be declared surplus with the intended manner of disposal to be by way of a permanent easement to Enbridge for the purpose of relocating its existing infrastructure as a result of the Eglinton-Scarborough Crosstown Transit Project.
 2. An exemption be granted from the requirement to give notice to the public and/or to obtain an appraisal.
 3. 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 Deputy City Manager & Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.

Background: The City acquired Part 9 on Plan 64R-9888 in 1891 and Part 10 on said Plan in 1988 for the purpose of extending Vaughan Road. However, this portion was never dedicated by By-law as public road allowance. The Property was not acquired through expropriation proceedings.

Enbridge Gas, at the request of Metrolinx, is seeking a 3.0m wide permanent easement with the City as part of its requirement to relocate its existing gas main that is currently situated along Eglinton Avenue West onto the Property in order to accommodate the Eglinton-Scarborough Crosstown Transit Project.

Comments: A circulation to the City's ABCDs was undertaken to ascertain whether or not there is any municipal interest in retaining the Property. No municipal interest was expressed. Staff of the Affordable Housing Office has determined that there is no interest in the Property for affordable housing. Accordingly, it is appropriate that the Property be declared surplus. The Property Management Committee has reviewed this matter and concurs.

Property Details:

Ward:	15 – Eglinton-Lawrence
Assessment Roll No.:	N/A
Approximate Size:	Irregular in shape
Approximate Area:	141.1 m ² ± (1,518.79ft ² ±)
Other Information:	

Yes 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	July 10, 2015	Tasse Karakolis
Director	July 22, 2015	Joe Casali
Chief Corporate Officer	July 23, 2015	Josie Scioli
Return to:		
Susan Lin (2-4135) Real Estate Services 2nd Floor, Metro Hall		
DAF Tracking No.: 2015-147		

Consultation with Councillor(s):						
Councillor:	Josh Colle					
Contact Name:	Councillor Colle					
Contacted by	Phone	<input checked="" type="checkbox"/>	E-mail		Memo	Other
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 • July 2, 2015 					
Councillor:						
Contact Name:						
Contacted by	Phone		E-mail		Memo	Other
Comments:						

Consultation with other Division(s):			
Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Filisha Mohammed / Kenneth Quan
Comments:		Comments:	
Real Estate Law Contact:	Lisa Davies	Date:	July 6, 2015

Schedule "A"

Part of Plan 66R-28078

