

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:	Melanie Hale-Carter	Division:	Real Estate Services			
Date Prepared:	June 5, 2015	Phone No.:	416-392-1227			
Purpose:	To declare surplus a long-term easement interest (over 21 years) over certain portions of land abutting 819 Sheppard Avenue West, (the "Properties"), with the intended manner of disposal to be by way of an easement or right of way, for access and egress to 819 Sheppard Avenue West until such time as a by-law dedicating the Properties as an open road are enacted.					
Property:	Permanent easement interest over the Properties immediately abutting 819 Sheppard Avenue West, as shown approximately as Parts 1, 11 and 12 on Draft R-Plan 2014-00278, attached hereto as Appendix "A"(the "Easements").					
Actions:	<ol style="list-style-type: none"> 1. The Easements be declared surplus with the intended manner of disposal to be by way of a grant of a permanent easements or right of way in favour of the owner of 819 Sheppard Avenue West. 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 213 of the City of Toronto Municipal Code, be taken. 					
Financial Impact:	<p>There are no financial implications resulting from this approval.</p> <p>The Deputy City Manager and Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.</p>					
Background:	A portion of the property located at 819 Sheppard Avenue West was declared surplus for the purposes of a sale to THS Property Inc. (the "Purchaser") pursuant to the following: DAF Tracking Number 2013-151, dated December 18, 2013, DAF Tracking Number 2014-193, dated September 12, 2014 and DAF Tracking Number 2015-085, dated April 30, 2015. The Properties were not declared surplus and are to be retained by the City for the purposes of road widening. At this time, however, they have not yet been dedicated as part of the existing road allowance and so; until such time as they are the Purchaser must obtain a right of way or easement over the Properties in order to gain access and egress to 819 Sheppard Avenue West.					
Comments:	This matter was reviewed by Property Management Committee and no further municipal interests, other than those expressed for road widening, were identified. City Survey and Mapping staff, charged with road dedications, have reviewed this matter and concur. It is anticipated that the Properties will be dedicated as part of the existing road allowance before the end of 2015; however, the sale transaction is scheduled to close prior to this dedication. The closing date cannot be delayed until the dedication. Accordingly, it is appropriate that the Easements be declared surplus until such time as a by-law dedicating the Properties as an open road are enacted.					
Property Details:	Ward:		10-York Centre			
	Assessment Roll No.:		Part of 1908-05-1-790-00400			
	Approximate Area Required for the Permanent Easements:		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Part 1 112.1 m² ± (1,207 ft² ±)</td> <td style="width: 33%;">Part 11 22.7 m² ± (244 ft² ±)</td> <td style="width: 33%;">Part 12 3.8 m² ± (41 ft² ±)</td> </tr> </table>	Part 1 112.1 m ² ± (1,207 ft ² ±)	Part 11 22.7 m ² ± (244 ft ² ±)	Part 12 3.8 m ² ± (41 ft ² ±)
	Part 1 112.1 m ² ± (1,207 ft ² ±)	Part 11 22.7 m ² ± (244 ft ² ±)	Part 12 3.8 m ² ± (41 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:

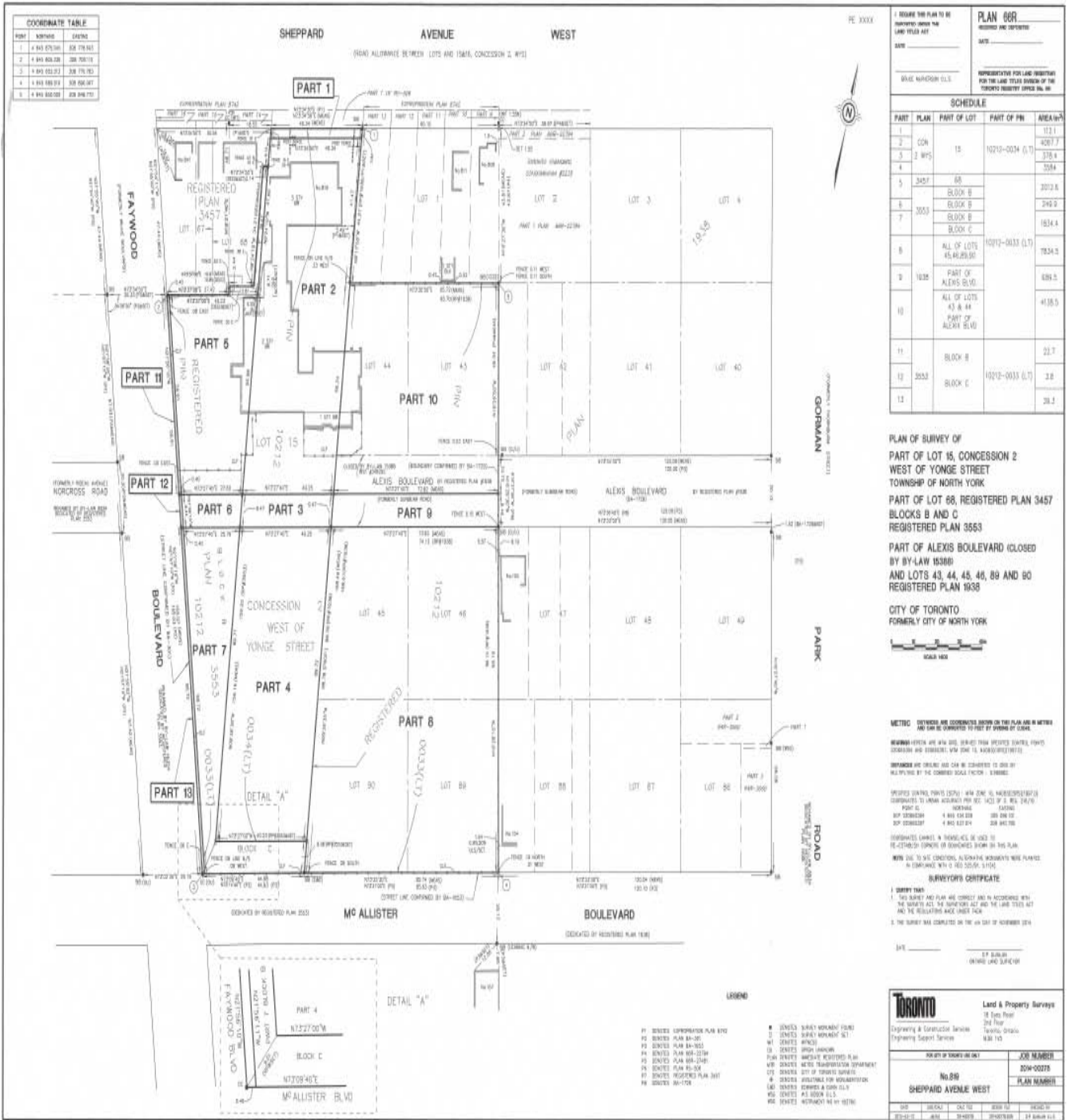
- A (1)** declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
 - Councillor does not require 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	June 5, 2015	Tasse Karakolis
Director	June 5, 2015	Tim Park for Joe Casali
Chief Corporate Officer	June 12, 2015	Josie Scioli
Return to: Melanie Hale Carter Real Estate Services Metro Hall, 55 John St 2nd Fl (416) 392-4135		
DAF Tracking No.: 2015-126		

Consultation with Councillor(s):						
Councillor:	James Pasternak					
Contact Name:	Jacob Katz-EA					
Contacted by	<input checked="" type="checkbox"/>	Phone	<input type="checkbox"/>	E-mail	<input type="checkbox"/>	Memo
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 • June 5, 2015 					
Councillor:						
Contact Name:						
Contacted by	<input type="checkbox"/>	Phone	<input type="checkbox"/>	E-mail	<input type="checkbox"/>	Memo
Comments:						

Consultation with other Division(s):			
Division:	Survey and Mapping	Division:	Financial Planning
Contact Name:	Bruce McPherson/Dan Quinlan	Contact Name:	Filisha Mohammed for Anthony Ng
Comments:	Concurs June 5, 2015	Comments:	Concurs
Real Estate Law Contact:	Jason Aurini (2-8950) comments incorporated June 4, 2015	Date:	June 4, 2015

APPENDIX "A": Draft R-Plan



COORDINATE TABLE	
POINT	EASTING
1	4 893 079.04
2	4 893 080.00
3	4 893 081.00
4	4 893 082.00
5	4 893 083.00

SCHEDULE				
PART	PLAN	PART OF LOT	PART OF PIN	AREA (M ²)
1				113.1
2	CON	15	10712-0074 (LT)	4087.7
3	WPS			378.4
4				339.4
5	3457	B5		2012.8
6	3553	BLOCK B		249.9
7		BLOCK B		1834.4
8		BLOCK C		
9		ALL OF LOTS 43, 44, 45, 46, 48, 49, 50	10712-0033 (LT)	7834.2
10		PART OF ALEXIS BLVD.		689.2
11		ALL OF LOTS 43 & 44		4136.0
12		PART OF ALEXIS BLVD.		
13		BLOCK B		21.7
14	3553	BLOCK C	10712-0033 (LT)	3.8
15				38.1

PLAN OF SURVEY OF
 PART OF LOT 15, CONCESSION 2
 WEST OF YONGE STREET
 TOWNSHIP OF NORTH YORK
 PART OF LOT 68, REGISTERED PLAN 3457
 BLOCKS B AND C
 REGISTERED PLAN 3553
 PART OF ALEXIS BOULEVARD (CLOSED
 BY BY-LAW 16388)
 AND LOTS 43, 44, 45, 46, 48, 49 AND 50
 REGISTERED PLAN 1938
 CITY OF TORONTO
 FORMERLY CITY OF NORTH YORK

METHOD CONTROL AND CORRECTIONS SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVISION BY 3.048.

REMARKS HEREIN ARE AND ARE TO BE CONSIDERED AS PART OF THE SURVEY AND SHOWN ON THE PLAN AS SUCH.

DISCLAIMER THE SURVEYOR HAS CONDUCTED THIS SURVEY IN ACCORDANCE WITH THE SURVEY ACT AND THE REGULATIONS MADE THEREUNDER.

NOTES DUE TO THE COMPLEX NATURE OF THIS SURVEY, THE SURVEYOR HAS CONDUCTED THIS SURVEY IN ACCORDANCE WITH THE SURVEY ACT AND THE REGULATIONS MADE THEREUNDER.

SURVEYOR'S CERTIFICATE

I, THE SURVEYOR, HAVE CONDUCTED THIS SURVEY IN ACCORDANCE WITH THE SURVEY ACT AND THE REGULATIONS MADE THEREUNDER AND I HEREBY CERTIFY THAT THE SURVEY IS TRUE AND CORRECT.

SIGNATURE _____

DATE _____

Toronto Land & Property Surveys
 18 York Street
 2nd Floor
 Toronto, Ontario
 M5E 1A5

Engineering & Construction Services
 Engineering Support Services
 M30 1A5

NO. 89
 SHEPPARD AVENUE WEST
 PLAN NUMBER

DATE: 2014-01-15
 TIME: 10:00 AM
 DRAWN BY: J. W. B. / J. W. B.
 CHECKED BY: J. W. B. / J. W. B.