



DELEGATED APPROVAL FORM DECLARE SURPLUS

TRACKING NO.: 2015-158

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:	Neubert Li	Division:	Real Estate Services Division
Date Prepared:	July 15, 2015	Phone No.:	2-1243
Purpose:	To declare surplus a long term easement (21 years or more) an area located to the north of Manitoba Drive within the boundaries of the City-owned property known as Exhibition Place located at 12 Strachan Avenue (the "Property") with the intended manner of disposal to be by way of a grant of permanent easement to Toronto Hydro Electric System Limited ("Toronto Hydro").		
Property:	A permanent easement interest in the land located at 12 Strachan Avenue shown as Parts 1 & 5 on attached 66R-26984 attached as Appendix "A" (the "Easement Land").		
Actions:	<ol style="list-style-type: none"> 1. The Easement Land be declared surplus with the intended manner of disposal to be by way of a permanent easement to Toronto Hydro for its new cable chambers and conduits to reroute the existing feeders. 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:	<p>On July 23, 2013, the City entered into an Easement Agreement with Toronto Hydro which was authorized by DAF No. 2013-022 to allow the installation of Toronto Hydro's new cable chambers and conduits from Strachan Transmission Station running west under Manitoba Drive and then north to Parking Lot "B" (across from Agriculture Building) which located under the Gardiner Expressway, to reroute its existing feeds. The easement forms part of the Exhibition Place Compound and is shown as Parts 1 and 3 on 66R-26359 attached as Appendix "B".</p> <p>Toronto Hydro, through its outside counsel, has submitted a written request for additional easement areas depicted as Parts 1 and 5 on plan 66R-26984, also attached as Appendix "B". In between these two Parts is the area described as Part 1 on plan 66R-26359. Toronto Hydro advised that the additional easement areas requested were resulted from changes in the alignment of the Metrolinx Rail crossing that necessitates an expansion of the easement at that section of the easement route,</p> <p>The additional easement areas requested are depicted as Parts 1 and 5 on the said plan. Part 1 has an area of 20.5 sq. m. Part 5 has an area of 52.1 sq. m. The total area comprises 72.6 sq. m or approx. 0.018 acre.</p>		
Comments:	<p>Staff from Exhibition Place has confirmed that they have no objections to Toronto Hydro's request.</p> <p>A circulation to the City's internal and external stakeholders was undertaken to ascertain whether or not there is any municipal interest in retaining the Easement Land. There were no objection or concern received as a result of the circulation. Staff of the Affordable Housing Office have determined that there is no interest in the Easement Land for affordable housing. Accordingly, it is appropriate that the Easement Land be declared surplus. The Property Management Committee has reviewed this matter and concurs.</p>		
Property Details:	Ward:	19 – Trinity Spadina	
	Assessment Roll No.:	Part of 1904-041-040-00800-0000 & 1904-041-040-00100-0000	
	Approximate Size:	Irregular	
	Approximate Area:	Part 1 = 20.5 m ² (ft ²), Part 5 = 52.1 m ² (ft ²)	
	Other Information:		
<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	July 15, 2015	Tasse Karakolis
Director	July 22, 2015	Joe Casali
Chief Corporate Officer	July 23, 2015	Josie Scioli
Return to:		
Neubert Li (392-1243) 2 nd Floor, Metro Hall		

Consultation with Councillor(s):					
Councillor:	Mike Layton				
Contact Name:	Helen Leger				
Contacted by	Phone	<input checked="" type="checkbox"/>	E-mail	Memo	Other
Comments:	No concern or objection				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail	Memo	Other
Comments:					

Consultation with other Division(s):			
Division:	Technical Services	Division:	Financial Planning
Contact Name:	Bruce McPherson	Contact Name:	Filisha Mohammed
Comments:	Comments have been incorporated	Comments:	Okayed
Real Estate Law Contact:	Ray Mickevicius	Date:	

APPENDIX "A"



