

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:	Trixy Pugh	Division:	Real Estate Services										
Date Prepared:	January 9, 2018	Phone No.:	(416) 392-8160										
Purpose:	To declare surplus an easement interest (with a potential term of 21 years or more) in a portion of the City-owned land located at the Downsview Park Station (the "Property") with the intended manner of disposal to be by way of a transfer of easement to Toronto Hydro-Electric System Limited ("Toronto Hydro") for the maintenance and repair of a newly constructed hydro duct solely servicing the traction power substation at Downsview Park Station.												
Property:	An easement interest over portion of 25 Vitti Street, being part of PIN 10234-0630, described as Parts 1, 2 and 10 on Reference Plan 66R-27825 and shown on Appendix B (the "Easement").												
Actions:	<ol style="list-style-type: none"> 1. The Easement be declared surplus with the intended manner of disposal to be by way of a transfer of easement to Toronto Hydro for access and maintenance of its hydro duct bank and related infrastructures at Downsview Park Station, solely servicing the traction power substation at Downsview Park Station. 2. An exemption be granted from the requirement to give notice to the public 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:	There are no financial implications resulting from this approval. The Acting Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.												
Background:	<p>DAF 2011-096, dated March 7, 2011, authorized the acquisition of portions of Parc Downsview Park Inc. ("PDP") lands on the south side of Sheppard Avenue West, between Allen Road and Keele Street, for the construction of the new Downsview Park Station, subway tunnel structures, the connections to the TTC Wilson Yard and Bakersfield Road and other work ancillary to the Toronto-York Spadina Subway Project (the "Project"). Lands were also acquired to construct a new public highway, Vitti Street, to provide vehicular access to the station.</p> <p>In May 2011, the title of the fee simple interests and permanent and temporary construction easements were transferred to the City with the Toronto Transit Commission (TTC) being responsible for all costs associated with the maintenance of the property. In June 2011, the TTC commenced construction of the Project. The Property was not acquired through expropriation proceedings.</p> <p>At the request of the TTC, in connection with the new Downsview Park Station, Toronto Hydro has installed a below grade hydro service duct bank and related switches and equipment for the purpose of providing electrical service solely servicing the TTC traction power substation at this subway station. Toronto Hydro requires an easement for access and maintenance of its infrastructure that is required to provide electrical supply to the Downsview Park Station. The City will retain the right to also make use of the lands subject to the easement for municipal purposes.</p>												
Comments:	A circulation to the City's ABCDs was undertaken to ascertain whether or not there is any municipal interest that would conflict with the Easement. No conflicting municipal interest was expressed. Accordingly, it is appropriate that the Easement be declared surplus. The Property Management Committee has reviewed this matter and concurs.												
Property Details:	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Ward:</td> <td>9 – York Centre</td> </tr> <tr> <td>Assessment Roll No.:</td> <td></td> </tr> <tr> <td>Approximate Size:</td> <td>irregular</td> </tr> <tr> <td>Approximate Area:</td> <td>547 m² (5,887.85 ft²)</td> </tr> <tr> <td>Other Information:</td> <td></td> </tr> </table>			Ward:	9 – York Centre	Assessment Roll No.:		Approximate Size:	irregular	Approximate Area:	547 m ² (5,887.85 ft ²)	Other Information:	
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Assessment Roll No.:													
Approximate Size:	irregular												
Approximate Area:	547 m ² (5,887.85 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.

Deputy City Manager, Internal Corporate Services 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
 - 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	Jan 10/18	Signed by Nick Simos
Director	Jan. 15/18	Signed by David Jollimore
Deputy City Manager, Internal Corporate Services	Jan. 17/18	Signed by Josie Scioli
Return to: Trixy Pugh Real Estate Services Metro Hall, 55 John Street, 2nd Fl (416) 392-8160		

Consultation with Councillor(s):					
Councillor:	Maria Augimeri				
Contact Name:	Alida Troini (Jan 2/18)				
Contacted by	Phone	<input checked="" type="checkbox"/>	E-mail		Other
Comments:	<ul style="list-style-type: none"> No objections with recommendation Does not require the matter to be determined by Council Concurs with exemption from notice to public 				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail		Other
Comments:					

Consultation with other Division(s):			
Division:	TTC	Division:	Financial Planning
Contact Name:	Joanna Kervin	Contact Name:	Patricia Libardo
Comments:	Incorporated into DAF (January 9, 2018)	Comments:	Incorporated into DAF
Real Estate Law Contact:	Ray Mickevicius (January 8, 2018)	Date:	January 4, 2018



Appendix "B": Sketch Showing Easement Area

