

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.

<b>Prepared By:</b>	Trixy Pugh	<b>Division:</b>	Real Estate Services															
<b>Date Prepared:</b>	October 31, 2018	<b>Phone No.:</b>	(416) 392-8160															
<b>Purpose:</b>	To declare surplus a long-term easement interest (21 years or more) in a portion of the City-owned parcel of land located on the West Toronto Railpath, west of Ruskin Avenue, with the intended manner of disposal to be by way of granting permanent easements to Enbridge Gas Distribution Inc. ("Enbridge") and Toronto Hydro-Electric System Limited ("Toronto Hydro") for the purpose of servicing the Metrolinx Regional Express Rail (the "Enbridge Easement") and protecting and maintaining existing Toronto Hydro infrastructure (the "Hydro Easement") (collectively, the "Easements").																	
<b>Property:</b>	Land located in the West Toronto Railpath west of Ruskin Avenue, being Part of Lot 34 Concession 2 From the Bay Township of York, Part 1 on 64R-16971 and Part 8 on 64R-16972, being all of PIN 21328-0509 (LT) (the "Property"). The Easements shall be over part of the Property, shown as Parts 1 and 2 on Sketch No. PS-2018-082 attached hereto as Appendix "B" (the "Easement Lands").																	
<b>Actions:</b>	<ol style="list-style-type: none"> <li>1. The Easement Lands be declared surplus, with the intended manner of disposal to be by way of the Enbridge Easement to Enbridge over Part 1 of Sketch No. PS-2018-032 attached hereto and the Hydro Easement to Toronto Hydro over Part 2 of same.</li> <li>2. An exemption be granted from the requirement to give notice to the public with respect to the Easements.</li> <li>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.</li> </ol>																	
<b>Financial Impact:</b>	<p>There are no financial implications resulting from this approval.</p> <p>The Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.</p>																	
<b>Background:</b>	<p>The Property was not acquired through expropriation proceedings. The City acquired the Property in 2003 for the purpose of creating a multi-use recreational trail, under the operational management of Parks, Forestry &amp; Recreation ("PF&amp;R"), and has a Utility Corridors land use designation under the Official Plan.</p> <p>Enbridge is seeking the Enbridge Easement over a portion of the Property for the purpose of constructing a gas main to service Metrolinx's Regional Express Rail. Toronto Hydro is seeking the Hydro Easement over a portion of the Property for the purpose of protecting its existing infrastructure.</p>																	
<b>Comments:</b>	A circulation to the City's ABCDs was undertaken to ascertain whether or not there is any municipal interest in retaining the Easements. PF&R has been consulted and has no objections to the Easements provided PF&R is notified well in advance of any works to be undertaken. Accordingly, it is appropriate that the Easement Lands be declared surplus. The Technical Review Committee has reviewed this matter and concurs.																	
<b>Property Details:</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;"><b>Ward:</b></td> <td colspan="2">18 - Davenport</td> </tr> <tr> <td></td> <td>Part 1</td> <td>Part 2</td> </tr> <tr> <td><b>Approximate Size:</b></td> <td>12.7m (42 ft) x 10.2m (33.5 ft)</td> <td>5.2m (17ft) x 4.4m (14.4ft)</td> </tr> <tr> <td><b>Approximate Area:</b></td> <td>59.7 m<sup>2</sup> (642.6 ft<sup>2</sup>)</td> <td>11.3 m<sup>2</sup> (121.6 ft<sup>2</sup>)</td> </tr> <tr> <td><b>Other Information:</b></td> <td colspan="2"></td> </tr> </table> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Lands are located within the Green Space System or the Parks &amp; Open Space Areas of the Official Plan.</p>			<b>Ward:</b>	18 - Davenport			Part 1	Part 2	<b>Approximate Size:</b>	12.7m (42 ft) x 10.2m (33.5 ft)	5.2m (17ft) x 4.4m (14.4ft)	<b>Approximate Area:</b>	59.7 m <sup>2</sup> (642.6 ft <sup>2</sup> )	11.3 m <sup>2</sup> (121.6 ft <sup>2</sup> )	<b>Other Information:</b>		
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### 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:**

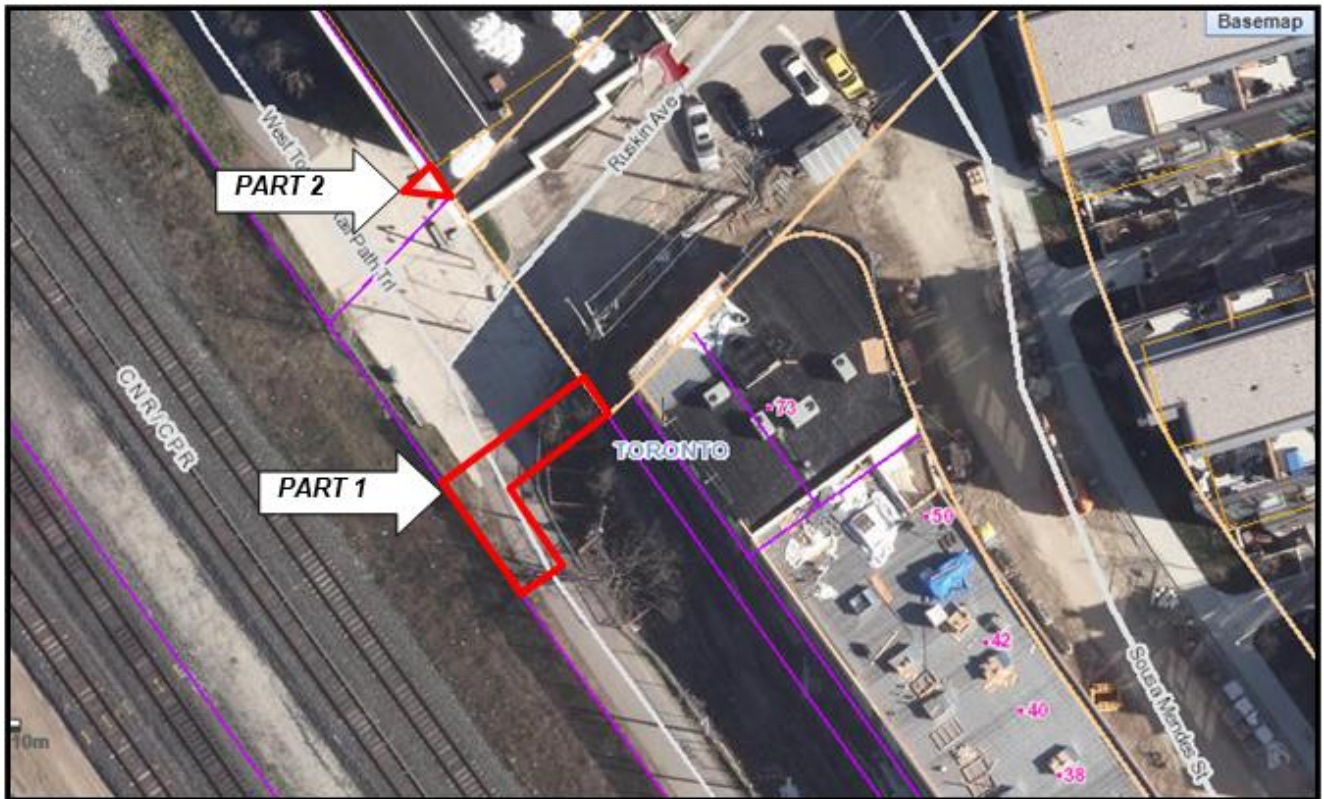
- A (1)** declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
- Councillor does not require 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
- 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
- n/a** 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	Nov. 1, 2018	Signed by Daran Somas
Director	Nov. 1, 2018	Signed by Tim Park
Deputy City Manager, Internal Corporate Services	Nov. 7, 2018	Signed by Josie Scioli
<b>Return to:</b> <b>Trixy Pugh</b> <b>Real Estate Services</b> <b>Metro Hall, 55 John Street, 2<sup>nd</sup> Fl</b> <b>(416) 392-8160</b>		
<b>DAF Tracking No.: 2018 - 339</b>		

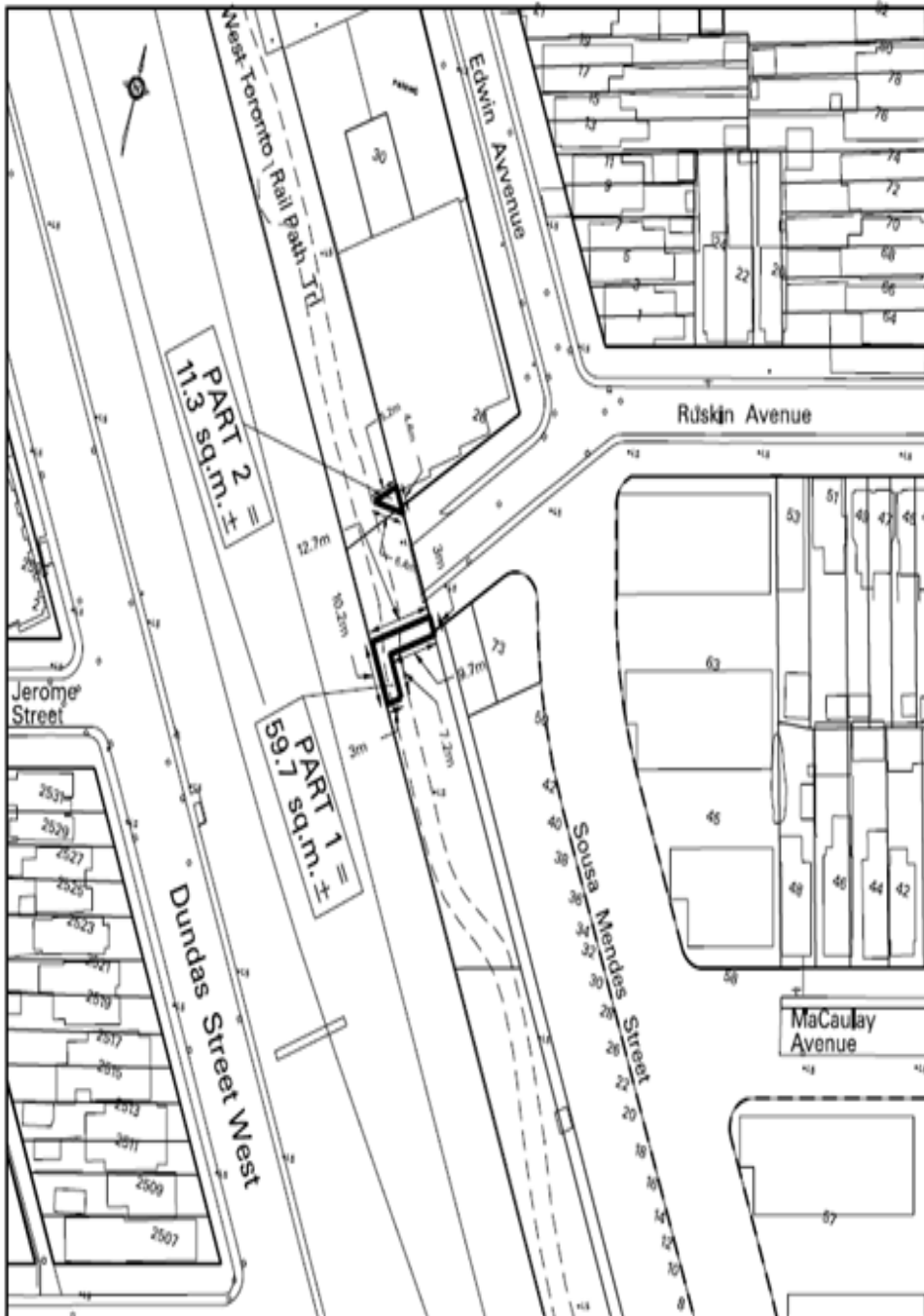
Consultation with Councillor(s):						
Councillor:	Ana Bailao					
Contact Name:	Ana Bailao (October 15, 2018)					
Contacted by	Phone	<input checked="" type="checkbox"/>	E-mail	<input type="checkbox"/>	Memo	Other
Comments:	<ul style="list-style-type: none"> <li>No objections with recommendations</li> <li>Does not require the matter to be determined by Council</li> <li>Does not require further consultation re: public notice</li> </ul>					
Councillor:						
Contact Name:						
Contacted by	Phone	<input type="checkbox"/>	E-mail	<input type="checkbox"/>	Memo	Other
Comments:						

Consultation with other Division(s):			
Division:	PF&R	Division:	Financial Planning
Contact Name:	Terence Liu	Contact Name:	Patricia Libardo
Comments:	Incorporated into DAF (October 31, 2018)	Comments:	Incorporated into DAF
Real Estate Law Contact:	Kellan Moulton (8-1384) (October 17, 2018)	Date:	October 16, 2018

Appendix "A": Location Map



Appendix "B": Sketch



**TORONTO**

ENGINEERING & CONSTRUCTION SERVICES  
ENGINEERING SUPPORT SERVICES  
LAND & PROPERTY SURVEYS

NOTE:

THIS SKETCH HAS BEEN  
COMPILED FROM OFFICE  
RECORDS. MEASUREMENTS  
ARE APPROXIMATE.

CHECK BY JOHN HOUSE

PREPARED BY DWAYNE FITT

WARD 16 - DAVENPORT

DATE: AUGUST 15, 2018

PROPERTY INFORMATION SHEET

SKETCH SHOWING PROPOSED  
PERMANENT EASEMENTS OVER  
CITY LANDS AT RUSKIN AVENUE

SKETCH No. PS-2018-082