

Approved pursuant to the Delegated Authority contained in Article 1 of City of Toronto Municipal Code Chapter 213, Real Property

Prepared By:	Mike Saffran	Division:	Corporate Real Estate Management
Date Prepared:	October 30, 2020	Phone No.:	(416) 392-7205
Purpose:	To amend DAF 2019-268, to provide for a different area of the P2 Parking level of Metro Hall to be declared surplus, with the intended manner of disposal being a permanent easement to Enwave Energy Corporation for the purposes of a hot water distribution pipe.		
Property:	Part of the property, 55 John Street, Metro Hall, P2 Parking level and shown as Part 1 on draft reference plan attached in Appendix "A" hereto (the "Amended Easement Lands").		
Actions:	1. The Amended Easement Lands be declared surplus, with the intended manner of disposal to be by way of providing a permanent easement to Enwave for the purpose of the installation, maintenance and operation of a hot water distribution line.		
Financial Impact:	There are no financial implications resulting from this approval. The Chief Financial Officer & Treasurer has reviewed this DAF and agrees with the financial impact information.		
Background:	Enwave has requested that the City grant a permanent easement through the Amended Easement Lands for the purpose of the installation of a hot water distribution line approximately 18" in diameter and approximately 300 feet long.		
Comments:	On October 16, 2019, the DCM, CS authorized in DAF 2019-268 the declare surplus of an easement interest of a portion of Metro Hall, P2 Parking level for a hot water pipe. Since that Authority was obtained, Enwave submitted revisions to the configuration of their hot water pipe, as shown in Appendix "A", which have been reviewed and accepted by CREM staff. The configuration shown in Appendix "A" replaces that set out in DAF 2019-268.		
Property Details:	Ward:	10 – Spadina-Fort York	
	Assessment Roll No.:	A portion of 1904 062 250 000 50	
	Approximate Size:	Irregular shaped	
	Approximate Area:	249.2 m ² (2682.4 ft ²)	
	Other Information:	Portion of Metro Hall parking garage	
<input type="checkbox"/> Yes <input 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 General Manager 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 of City Planning and the General Manager 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, Corporate Services has approval authority for:

- (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 General Government and Licensing 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.]**
 - n/a 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
Acting Manager, Transaction Services	Nov. 18, 2020	Signed by Daran Somas
Director, Transaction Services	Nov. 20, 2020	Signed by Alison Folosea
Executive Director, Corporate Real Estate Management	Nov. 23, 2020	Signed by Patrick Matozzo
Deputy City Manager, Corporate Services	Nov. 23, 2020	Signed by Josie Scioli
Return to: Mike Saffran, Transaction Services, 2nd floor Metro Hall		

Consultation with Councillor(s):					
Councillor:	Joe Cressy				
Contact Name:	Brent Gilliard				
Contacted by	Phone	X	E-mail	Memo	Other
Comments:	No objections – October 27, 2020				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail	Memo	Other
Comments:					

Consultation with other Division(s):			
Division:	CREM – Facilities Management /CREM – PMO	Division:	Finance
Contact Name:	Frank Foti / Dennis Chow	Contact Name:	Patricia Libardo
Comments:	Concurs with submission of DAF – October 30, 2020	Comments:	Concurs with FIS – October 27, 2020
Real Estate Law Contact:	Vanessa Bacher	Date:	October 25, 2020

Appendix "A" – Location Map and draft Reference Plan

