

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

<b>Prepared By:</b>	Mark MacSorley	<b>Division:</b>	Corporate Real Estate Management
<b>Date Prepared:</b>	October 27, 2021	<b>Phone No.:</b>	416-392-3891
<b>Purpose:</b>	To declare surplus a Permanent Easement interest over City-owned lands (the "Easement Lands"). abutting 171 East Liberty Street with the intended manner of disposal to be by way of granting a permanent easement to Lifetime Developments for access into 171 East Liberty Street		
<b>Property:</b>	<p>The Easement Lands are legally described as:</p> <ul style="list-style-type: none"> <li>- Part 21 on Plan 66R-23981 (being part of PIN 21299-0182 (LT))</li> <li>- Parts 5 to 12 on Plan 66R-22662 (being part of PIN 21299-0257 (LT))</li> <li>- Part 3 on 66R-23084 (being all of PIN 21299-0300 (LT))</li> </ul>		
<b>Actions:</b>	<ol style="list-style-type: none"> <li>1. The Property be declared surplus, with the intended manner of disposal to be by way of granting a permanent easement to Lifetime Developments over the Easement Lands</li> <li>2. An exemption be granted from the requirement to give notice to the public</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 and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section</p>		
<b>Background:</b>	<p>Lifetime Developments requires an easement over the Easement Lands so that they can register a condominium plan for the condominium building constructed at 171 East Liberty Street. The Easement will be used to provide access to and from the condominium building via a driveway shared with the Toronto Police Service. The driveway is not a public highway.</p> <p>The property at 171 East Liberty Street already enjoys some easement access over part of the driveway, but not enough to provide legal access to the condominium building.</p> <p>The Toronto Police Services uses the driveway for access to and snow removal from its property at 9 Hanna Ave. The Toronto Police Service had no objection to the requested disposal of the easement requested.</p>		
<b>Comments:</b>	<p>A circulation to the City's Divisions and Agencies was undertaken to ascertain whether or not there is any municipal interest in retaining the Easement Lands. No municipal interest was expressed. Staff of the Housing Secretariat has Determined that there is no interest in the Easement Lands for affordable housing. Accordingly, it is appropriate that The Easement Lands be declared surplus. The Technical Review Committee has reviewed this matter and concurs.</p>		
<b>Property Details:</b>	<b>Ward:</b>	10 – Spadina-Fort York	
	<b>Assessment Roll No.:</b>	N/A	
	<b>Approximate Area:</b>	PIN: 212990182 - 618.5m <sup>2</sup> PIN: 212990257 - 589m <sup>2</sup> PIN: 212990300 - 1m <sup>2</sup>	
	<b>Other Information:</b>		
	<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 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.]**
  - 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, Real Estate Services	Oct. 28, 2021	Signed by Ronald Ro
Director, Real Estate Services	Nov. 5, 2021	Signed by Alison Folosea
Executive Director, Corporate Real Estate Management	Nov. 5, 2021	Signed by Patrick Matozzo
Deputy City Manager, Corporate Services	Nov. 5, 2021	Signed by Josie Scioli
<b>Return to:</b> <b>Mark MacSorley</b> <b>Real Estate Services</b> <b>Metro Hall, 55 John St, 2<sup>nd</sup> Floor</b>		

Consultation with Councillor(s):					
Councillor:	Joe Cressy				
Contact Name:	Anthony MacMahon				
Contacted by	Phone	x	E-mail	Memo	Other
Comments:	No objections (10/22/2021)				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail	Memo	Other
Comments:					

Consultation with other Division(s):			
Division:	Toronto Police Services	Division:	Financial Planning
Contact Name:	Thomas Levesque	Contact Name:	Ciro Tarantino
Comments:	No Objections (10/27/2021)	Comments:	No Comments/Concerns
Real Estate Law Contact:	Vanessa Bacher 10/21/2021	Date:	(10/22/2021)

Appendix A

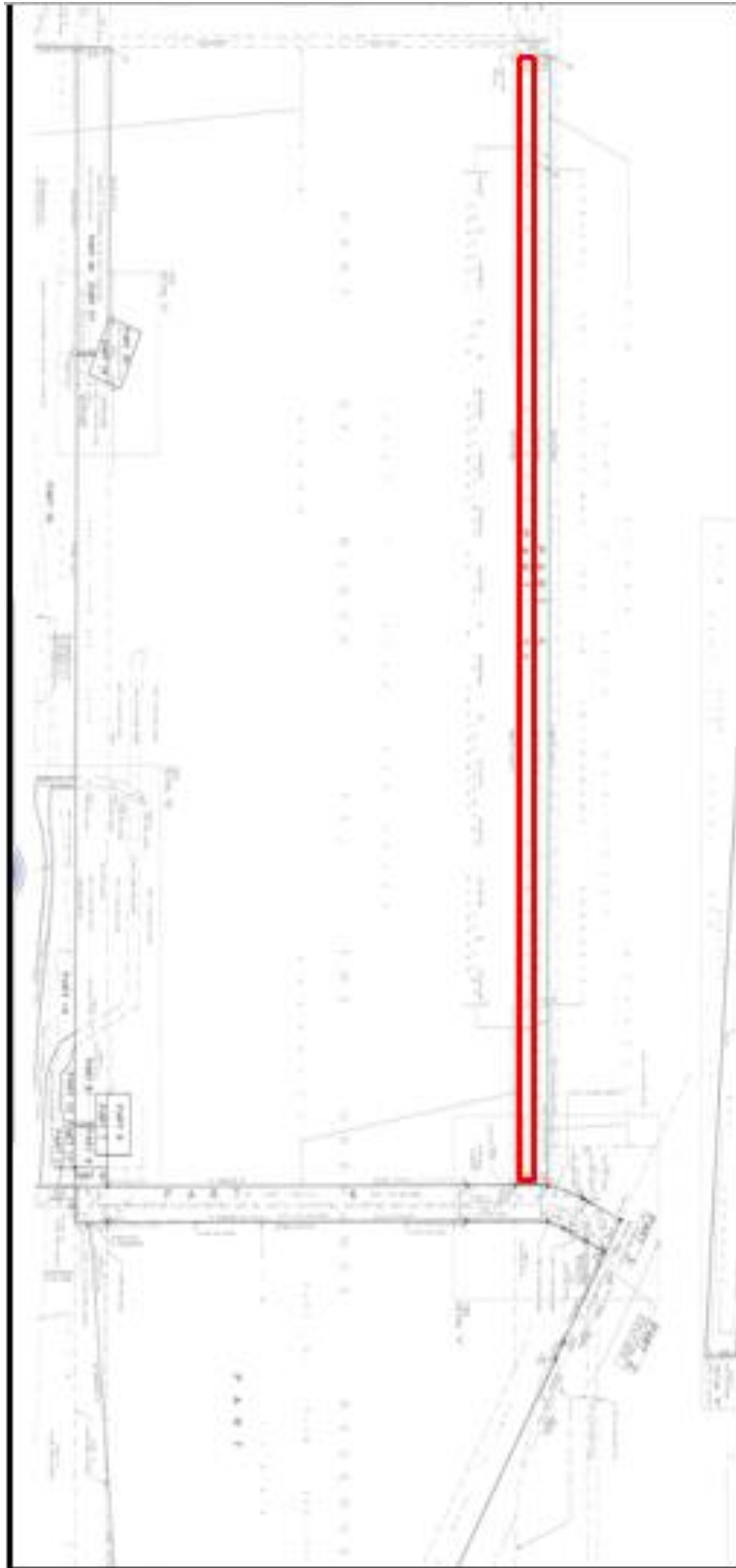


Figure 1 - Part 21- 66R-23981

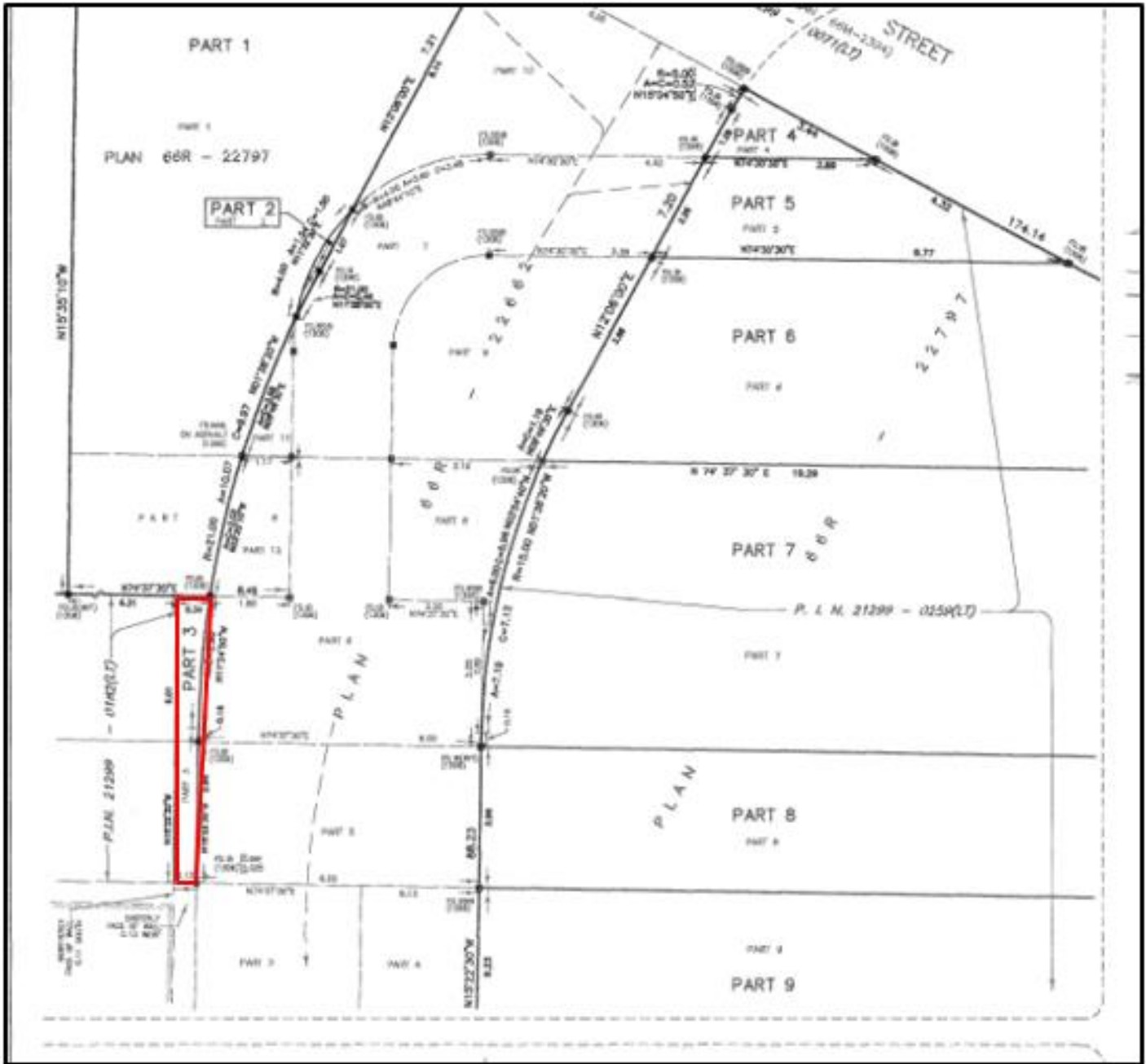


Figure 2 - Part 3 66R-23084

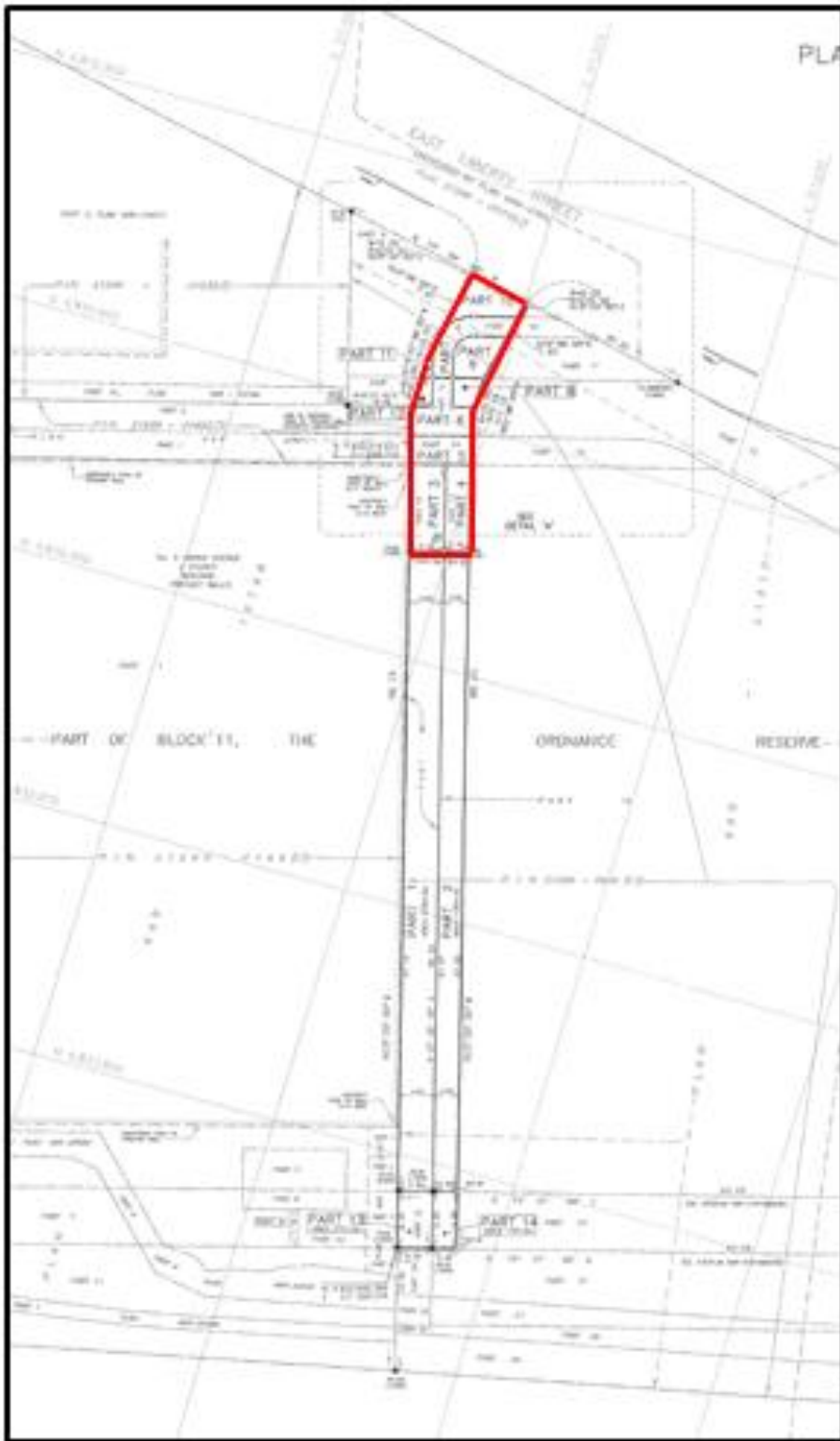


Figure 3 - Parts 5 - 12 Plan 66R22662