

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

Prepared By:	Miles Argue	Division:	Corporate Real Estate Management
Date Prepared:	September 16, 2021	Phone No.:	416-397-7522
<b>Purpose:</b>	To declare surplus an easement interest (21 years or more) in the portion of City-owned land, adjacent to the east side of 3030 Birchmount Road, with the intended manner of disposal to be by way of an easement to Toronto Hydro-Electric Systems Limited ("THESL") in, over, along and upon the Property (as hereinafter defined) for the installation, operation, maintenance, and repair of an underground plant in connection with the transmission and/or distribution of electricity.		
<b>Property:</b>	A permanent easement interest (the "Easement") a portion of the City-owned land adjacent to the east side of 3030 Birchmount Road and shown on the Location Map attached hereto as Appendix "A-1" (the "Property"), more particularly described as Part of Block H on Plan 66M-1821, designated on Part 2 on Reference Plan 66R-31685, City of Toronto (formerly Scarborough), being part of PIN 06115-0101 (LT).		
<b>Actions:</b>	<ol style="list-style-type: none"> <li>1. The Easement be declared surplus, with the intended manner of disposal to be by way of a transfer of easement to THESL for the installation, operation, maintenance, and repair of underground plant in connection with the transmission and/or distribution of electricity.</li> <li>2. An exemption be granted from the requirement to give notice to the public with respect to the Easement.</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 impact information.</p>		
<b>Background:</b>	The Property was not acquired through expropriation proceedings.		
<b>Comments:</b>	<p>THESL has requested a permanent easement from the City over the Property to accommodate critical service requirements, being the installation and operation of underground distribution lines currently under construction. When completed, the new distribution lines will allow THESL to provide critical service upgrades to Scarborough Grace Hospital located at 3030 Birchmount Road.</p> <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 Property. No municipal interest was expressed. Staff of the Housing Secretariat has determined that there is no interest in the Property for affordable housing. Accordingly, it is appropriate that the Property be declared surplus. The Technical Review Committee has reviewed this matter and concurs.</p>		
<b>Property Details:</b>	<b>Ward:</b>	22 – Scarborough Agincourt	
	<b>Assessment Roll No.:</b>	n/a	
	<b>Approximate Size:</b>	0.3m x 4m	
	<b>Approximate Area:</b>	1.2 m <sup>2</sup> ± (12.91 ft <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.

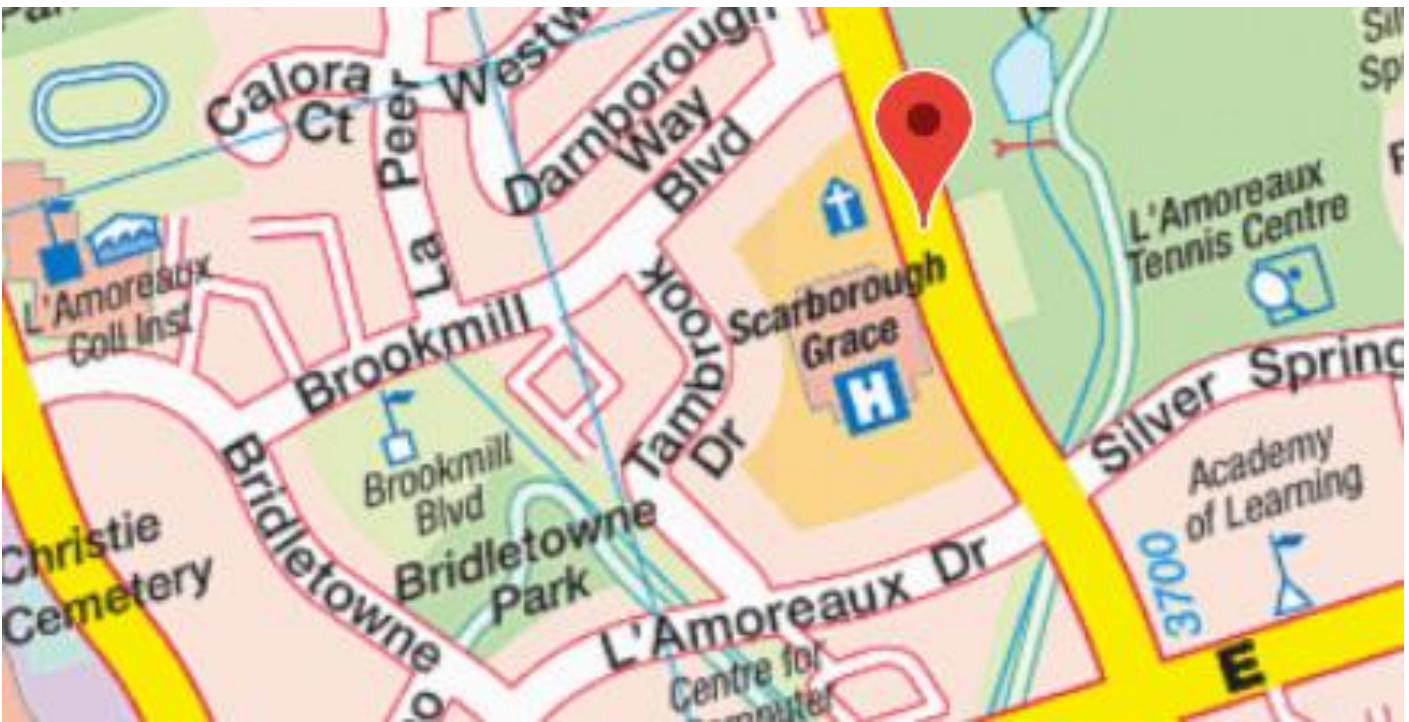
Title	Date	Recommended/ Approved
Scott Delahunt, Manager, Real Estate Services	Oct. 8, 2021	Signed by Scott Delahunt
Alison Folosea, Director, Real Estate Services	Oct. 15, 2021	Signed by Alison Folosea
Patrick Matozzo, Executive Director, Corporate Real Estate Management	Oct. 17, 2021	Signed by Patrick Matozzo
Josie Scioli, Deputy City Manager, Corporate Services	Oct. 18, 2021	Signed by Josie Scioli
<b>Return to:</b> <b>Miles Argue</b> <b>Property Officer, Corporate Real Estate Management</b> <b>416-397-7522 Miles.Argue@toronto.ca</b>		

Consultation with Councillor(s):						
Councillor:	Nick Mantas					
Contact Name:	Joanne Fusillo Adema					
Contacted by	<input checked="" type="checkbox"/> Phone	<input checked="" type="checkbox"/> E-mail	<input type="checkbox"/> Memo	<input type="checkbox"/> Other		
Comments:	No Objections (2021.10.04)					
Councillor:						
Contact Name:						
Contacted by	<input type="checkbox"/> Phone	<input type="checkbox"/> E-mail	<input type="checkbox"/> Memo	<input type="checkbox"/> Other		
Comments:						

Consultation with other Division(s):			
Division:	Transportation Services	Division:	
Contact Name:	Lukasz Pawlowski	Contact Name:	
Comments:	Comments Incorporated (2020.08.06)	Comments:	
Real Estate Law Contact:	Stefan Radovanovich (2-8571) (2021.9.04)	Date:	

SCHEDULE "A" - LOCATION MAP & REFERENCE PLANS

Appendix "A1" – Location Map



Excerpt from Reference Plan 66R-31685, Toronto

