

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

Prepared By:	Trixy Pugh	Division:	Corporate Real Estate Management
Date Prepared:	January 6, 2022	Phone No.:	(416) 392-8160
Purpose:	To declare surplus a long-term easement interest (21 years or more) over a parcel of the City-owned Scarborough Rapid Transit ("SRT") corridor, located south of Lawrence Avenue East, and east of Kennedy Road, with the intended manner of disposal to be by way of an easement to Metrolinx ("Metrolinx") in connection with its Electrification Program.		
Property:	A permanent easement interest over a part of the SRT corridor, located south of Lawrence Avenue East, and east of Kennedy Road (the "Property"), legally described as Part of Lot 28, Concession D, Part 3 on Plan 64R9187, S/T TB206479, Scarborough, City of Toronto; designated as Part 1 on Plan 66R-66R-31853 being part of PIN: 06473-0006 (LT), and shown in Appendix "A" (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 an easement to Metrolinx for the erection of wires to meet its Electrification Program on its adjacent Property. 2. An exemption be granted from the requirement to give notice to the public. 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:	<p>There are no financial implications resulting from this approval.</p> <p>The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact implications as identified in the Financial Impact section.</p>		
Background:	The Property currently functions as part of the SRT corridor for the Toronto Transit Commission ("TTC"). Metrolinx wishes to erect overhead electric transmission lines and maintain the same to a first-class level of quality in the Property for the purpose of transmitting electrical energy across the corridor for electrifying the Metrolinx Stouffville Rail Corridor, and has approached the City requesting a permanent easement on the Property. TTC has reviewed the request and is agreeable to this permanent easement request.		
Comments:	A circulation to the City's Divisions and Agencies was undertaken to ascertain whether there were any municipal objections to granting the Easement. No municipal objections were 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 Easement be declared surplus. The Technical Review Committee has reviewed this matter and concurs.		
Property Details:	Ward:	20 – Scarborough Southwest	
	Assessment Roll No.:	1901-04-2-410-00050	
	Approximate Size:		
	Approximate Area:	428.6 m ² ± (4,613.41 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 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:

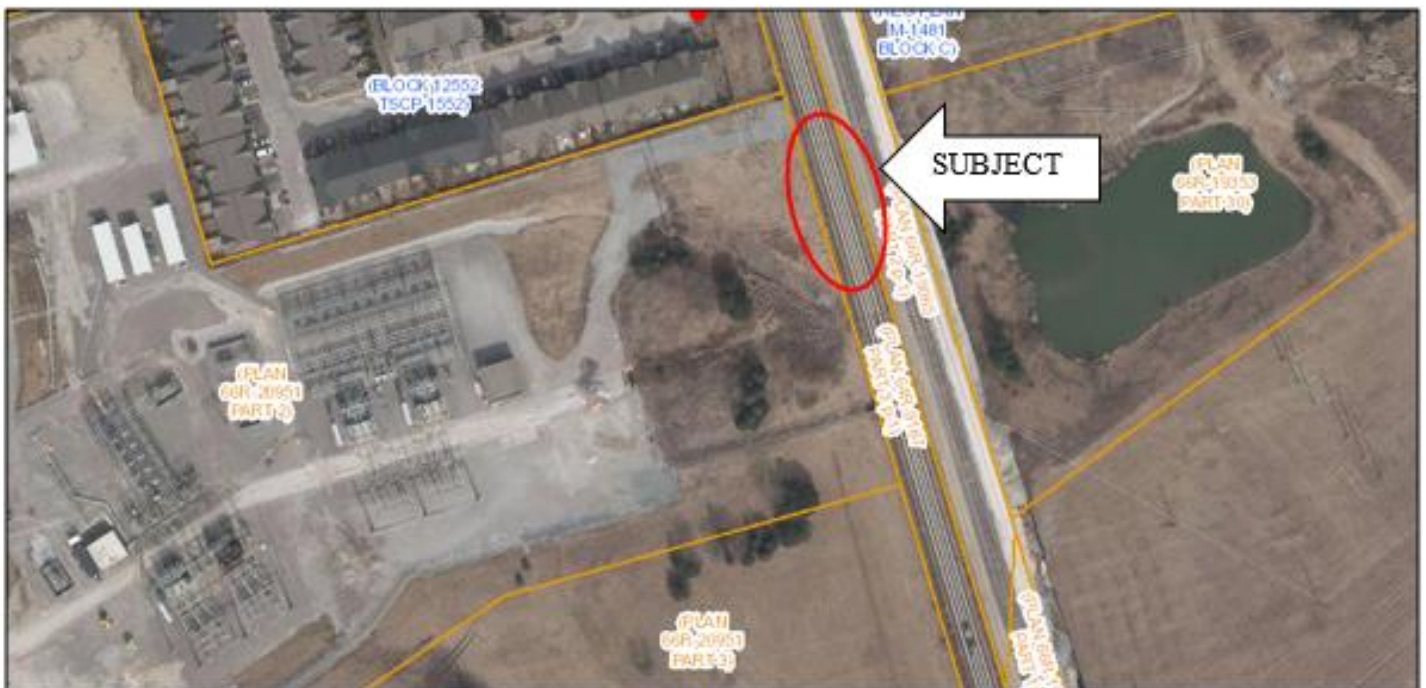
- (1) declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the General Government and Licensing Committee (§ 213-6).
- Councillor does not 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	Jan. 10, 2022	Signed by Vinette Prescott-Brown
Director, Real Estate Services	Jan. 14, 2022	Signed by Alison Folosea
Executive Director, Corporate Real Estate Management	Jan. 14, 2022	Signed by Patrick Matozzo
Deputy City Manager, Corporate Services	Jan. 14, 2022	Signed by Josie Scioli
Return to: Trixy Pugh (416) 392-8160		

Consultation with Councillor(s):	
Councillor:	Gary Crawford
Contact Name:	Kristin Campbell
Contacted by	Phone <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	No objections (December 21, 2021)
Councillor:	
Contact Name:	
Contacted by	Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	

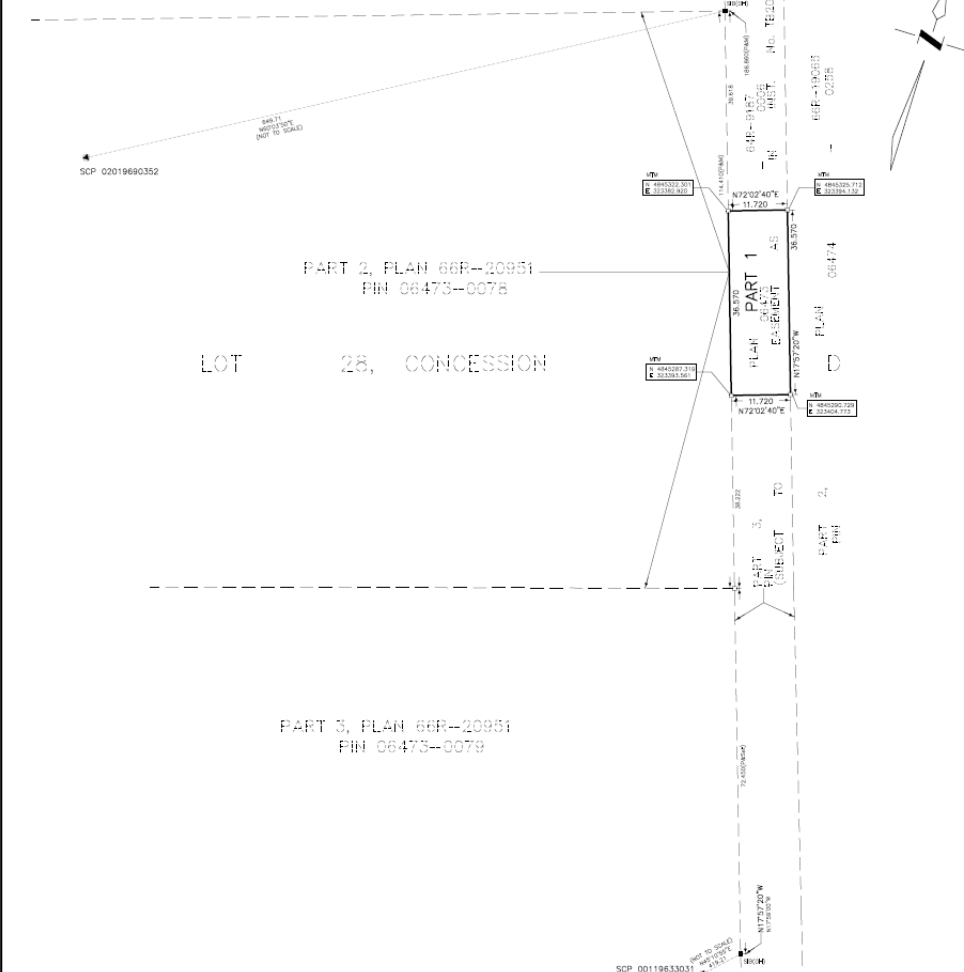
Consultation with other Division(s):			
Division:	TTC	Division:	Financial Planning
Contact Name:	David Cooper	Contact Name:	Ciro Tarantino
Comments:	Incorporated into DAF (December 15, 2021)	Comments:	Incorporated into DAF (December 15, 2021)
Real Estate Law Contact:	Dale Mellor	Date:	December 15, 2021

Appendix "A": Location Maps and Draft Reference Plan



METRIC: DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

TORONTO STANDARD CONVEYANCE PLAN No. 1852



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE: _____, 2020.

DAN DZALDOV
ONTARIO LAND SURVEYOR

PLAN 66R-
RECEIVED AND DEPOSITED
DATE: _____

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF THE TORONTO REGISTRY OFFICE No. 66

SCHEDULE

PART	LOT	CONCESSION	FIN	AREA (m ²)
1	PART OF 28	D	PART OF 06473-0006	428.6

PART 1 - SUBJECT TO EASEMENT AS IN INST. No. T8206479.

PLAN OF SURVEY OF
**PART OF LOT 28
CONCESSION D**
(GEOGRAPHIC TOWNSHIP OF SCARBOROUGH)
CITY OF TORONTO
SCALE 1:500

SCHAEFFER DZALDOV BENNETT LTD.

- NOTES
- DENOTES PLANTED MONUMENT
 - DENOTES FOUND MONUMENT
 - SB DENOTES STANDARD IRON BAR
 - SSB DENOTES SHORT STANDARD IRON BAR
 - P DENOTES PLAN 66R-20951
 - M DENOTES METRE
 - OH DENOTES ONTARIO HYDRO

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE _____ DAY OF _____, 2020.

DATE: _____

DAN DZALDOV
ONTARIO LAND SURVEYOR

SCHAEFFER DZALDOV BENNETT LTD.
ONTARIO LAND SURVEYORS

64 JARVIN DRIVE SCARBORO, ONTARIO L4K 3P3 TEL (416) 987-0101
CALD. JZ. DRAWN ACAD./LW. CHECKED. SCALE 1:500. JOB NO. 18-273-01
DECEMBER 15, 2020