

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

Prepared By:	Boluwarin Mojeed	Division:	Corporate Real Estate Management
Date Prepared:	November 10, 2023	Phone No.:	416-392-7399
Purpose:	<p>1. To declare surplus a long-term easement interest (21 years or more) in the City-owned parcel of land located at 82 Chapman Avenue, Toronto, with the intended manner of disposal to be by way of a permanent easement granted to the owner of 80 Chapman Avenue, Toronto (the “Transferee”), to allow access to the City-owned parcel for the purpose of a thoroughfare to access his driveway/rear parking pad at 80 Chapman Avenue, Toronto (the “Transferee Property”).</p>		
Property:	<p>The property is municipally known as 82 Chapman Avenue, Toronto, legally described as Lot 1 Plan 2429 Designated as Parts 1 and 2 on PLN 66R-19414; Toronto, City of Toronto; being all of PIN: 10441-0213 (LT) (the “City Property”) as shown on the Location Map in Appendix “A”. Within the City Property are the easement lands legally described by way of a reference plan registered on title to City Property as Part of Lot 1, Registered Plan 2429, designated as Part 1 on Plan 66R-33416 (the “Easement Lands”) as shown on the Registered Reference Plan in Appendix “B”.</p>		
Actions:	<ol style="list-style-type: none"> 1. The Easement Lands be declared surplus, with the intended manner of disposal to be by way of an easement to the Transferee, to allow access to the City-owned parcel for the purpose of a thoroughfare to access his driveway/rear parking pad at the Transferee Property. 2. An exemption be granted from the requirement to give notice to the public, as set out in Chapter 213-1.5(F) of the City of Toronto Municipal Code. 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 DAF and agrees that there is no financial impact information to consider.</p>		
Background:	<p>The Toronto Public Library Board is proposing a 4-storey redevelopment of the existing Dawes Road Branch Library at 414-416 Dawes Road, which includes the demolition and expansion of the current buildings at 414-416 Dawes Road and 82 Chapman Avenue. The proposed fee and other major terms and conditions of the easement agreement are considered to be fair, reasonable and reflective of market rates. Further details on the grant of easement can found in Delegated Approval Form which specifically request authority for easement transaction.</p> <p>During the redevelopment of the new Dawes Road Branch Library it will not be possible for the Transferee to access parking at the Transferee Property due to construction hoarding being temporarily set up on City Property. Throughout the duration of the redevelopment alternate parking will be arranged for the Transferee and his tenants/licensees. This alternate parking is being arranged and paid for by the Toronto Public Library Board in accordance with its delegated real estate authority as set out in Chapter 137 of the Toronto Municipal Code.</p>		
Comments:	<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. Accordingly, it is appropriate that the Easement Lands be declared surplus. The Technical Review Committee has reviewed this matter and concurs.</p> <p>The Easement Agreement will be executed by DAF at a later date, likely under the signing authority of the Manager, Real Estate Services.</p>		
Property Details:	Ward:	19 – Beaches-East York	
	Assessment Roll No.:	N/A	
	Approximate Size:	N/A	
	Approximate Area:	35.6 m ² ± (377 ft ² ±)	
	Other Information:	N/A	
	<p><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.</p>		

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 appropriate standing committee (§ 213-1.6).
 - 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 (§ 213-1.7).
 - 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 (§ 213-1.4):
 - (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 (§ 213-1.5):
 - (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	Nov. 15, 2023	Signed by Jennifer Kowalski
Director, Real Estate Services	Nov. 15, 2023	Signed by Alison Folosea
Executive Director, Corporate Real Estate Management (Acting)	Nov. 19, 2023	Signed by Marco Cuoco
Deputy City Manager, Corporate Services (Acting)	Nov. 20, 2023	Signed by Patrick Matozzo
Return to: Boluwarin Mojeed Real Estate Services Metro Hall, 55 John St, 2nd Floor		

Consultation with Councillor(s):					
Councillor:	Brad Bradford				
Contact Name:	Ashley Millman				
Contacted by	Phone	<input checked="" type="checkbox"/>	E-mail	Memo	Other
Comments:	No Objections				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail	Memo	Other
Comments:					

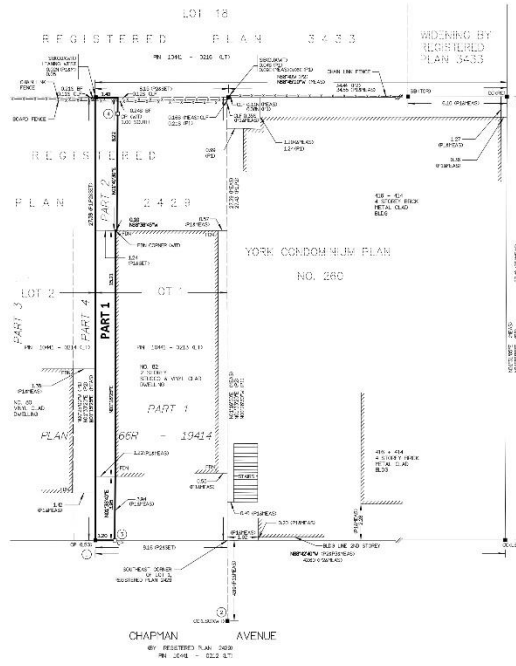
Consultation with other Division(s):			
Division:	Toronto Public Library	Division:	Financial Planning
Contact Name:	Harvey Mooradian (Manager, Tenant and Leases)	Contact Name:	Ciro Tarantino
Comments:	Comments Incorporated	Comments:	Comments Incorporated
Real Estate Law Contact:	Chris Cieslik	Date:	November 10, 2023

Appendix "A" – Location Map



Appendix "B" - Registered Reference Plan

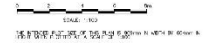
COORDINATE TABLE			
POINT	NORTHING	EASTING	ELEVATION
1	4 946 373.54	827 314.62	
2	4 946 373.54	821 329.95	
3	4 946 374.11	821 435.93	
4	4 946 374.11	821 436.62	



SCHEDULE			
PAGE	DESCRIPTION	DATE	AREA (SQ. M.)
1	PART 1 OF 1	2023-08-10	341

PLAN 668-33416
Received and deposited
June 20th, 2023
Erin Noble
Representative for the
Land Registrar for the
Land Titles Division of
Toronto (No. 80)

PLAN OF SURVEY OF PART OF LOT 1 REGISTERED PLAN 2428 CITY OF TORONTO FORMERLY BOROUGH OF EAST YORK



METRIC BEARINGS AND DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND DECIMALS THEREOF. DISTANCES ARE SHOWN TO THE NEAREST MILLIMETER.

BEARINGS ARE GIVEN IN DECIMAL DEGREES, MINUTES AND SECONDS. DISTANCES ARE GIVEN TO THE NEAREST MILLIMETER.

PART	DATE	AREA (SQ. M.)
PART 1	2023-08-10	341

LEGEND

- B BOUNDARY
- C1 CONCRETE CURB
- C2 CONCRETE CURB
- C3 CONCRETE CURB
- C4 CONCRETE CURB
- C5 CONCRETE CURB
- C6 CONCRETE CURB
- C7 CONCRETE CURB
- C8 CONCRETE CURB
- C9 CONCRETE CURB
- C10 CONCRETE CURB
- C11 CONCRETE CURB
- C12 CONCRETE CURB
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- C44 CONCRETE CURB
- C45 CONCRETE CURB
- C46 CONCRETE CURB
- C47 CONCRETE CURB
- C48 CONCRETE CURB
- C49 CONCRETE CURB
- C50 CONCRETE CURB

NOTE 1. THIS PLAN IS A PART OF A LARGER PLAN WHICH IS REGISTERED IN THE OFFICE OF THE LAND REGISTRAR UNDER NO. 80. 2. THE DISTANCES AND BEARINGS SHOWN ON THIS PLAN ARE TO BE CONSIDERED AS THE FINAL AND CORRECT DATA FOR THE SURVEY.

SURVEYOR'S CERTIFICATE

1. I, ERIN NOBLE, of the City of Toronto, do hereby certify that I am a duly qualified and licensed Professional Engineer under the Professional Engineers Act of Ontario and that I am duly registered with the Professional Engineers of Ontario.
2. I have carefully examined the survey and the data thereon and I am satisfied that the same are correct and that the distances and bearings thereon are true.

DATED: 2023-08-10
ERIN NOBLE
Professional Engineer
(No. 30000)

THE PLAN OF SURVEY RELATES TO THE PLAN SUBSIDIARY FROM NUMBER V-1220

City of Toronto		Land & Property Services
Engineering & Construction Services	300 York Street	Toronto, Ontario
M5G 1S7		
PROJECT NUMBER	728 NUMBER	2023-08108
PLAN NUMBER		1
DATE	PROJECT NO.	DESCRIPTION
2023-08-10	728-08108	LAND SURVEY

2023-08-10