

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:	March 27, 2024	Phone No.:	416-397-7522

**Purpose:** 1. To declare surplus a long-term easement interest (21 years or more) in part of a City-owned parcel of land lying east of 255 Village Green Square, with the intended manner of disposal to be by way of an easement to Enbridge Gas Inc. for the construction, operation and maintenance of a station box providing natural gas service to the abutting Metrolinx rail corridor.

**Property:** A permanent easement interest over the land lying east of at 255 Village Green Square, being part of Block 9, Plan 66M2460, more particularly described as Parts 1-2 on Plan 66R-32335 (the "Easement Lands").

- Actions:**
1. The Easement Lands be declared surplus, with the intended manner of disposal to be by way of an easement to Enbridge Gas Inc.
  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:** There are no financial implications resulting from this approval. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.

**Background:** Property was not acquired through expropriation proceedings.

**Comments:**

The City is the owner of Block 9 on Plan 66M2460 (the "City-owned Parcel"). Enbridge Gas Inc. approached the City to seek a permanent easement over part of the City-owned Parcel, being the Easement Lands., for the construction of a station box providing natural gas service to the abutting Metrolinx rail corridor.

A circulation to the City's Divisions and Agencies was undertaken to ascertain whether there is any municipal interest in retaining the Property. The lands were identified as of interest to the Toronto Transit Commission for the construction of a bus turn-around loop. Enbridge acknowledges that no permission to park will be permitted. that interferes with TTC operations. No other 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.

**Property Details:**

<b>Ward:</b>	22 – Scarborough-Agincourt
<b>Assessment Roll No.:</b>	1901111180024800000
<b>Approximate Size:</b>	3 m x 52 m ± (9.75 ft x 170 ft ±)
<b>Approximate Area:</b>	48.3 m <sup>2</sup> ± (520 ft <sup>2</sup> ±)
<b>Other Information:</b>	

Yes  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.

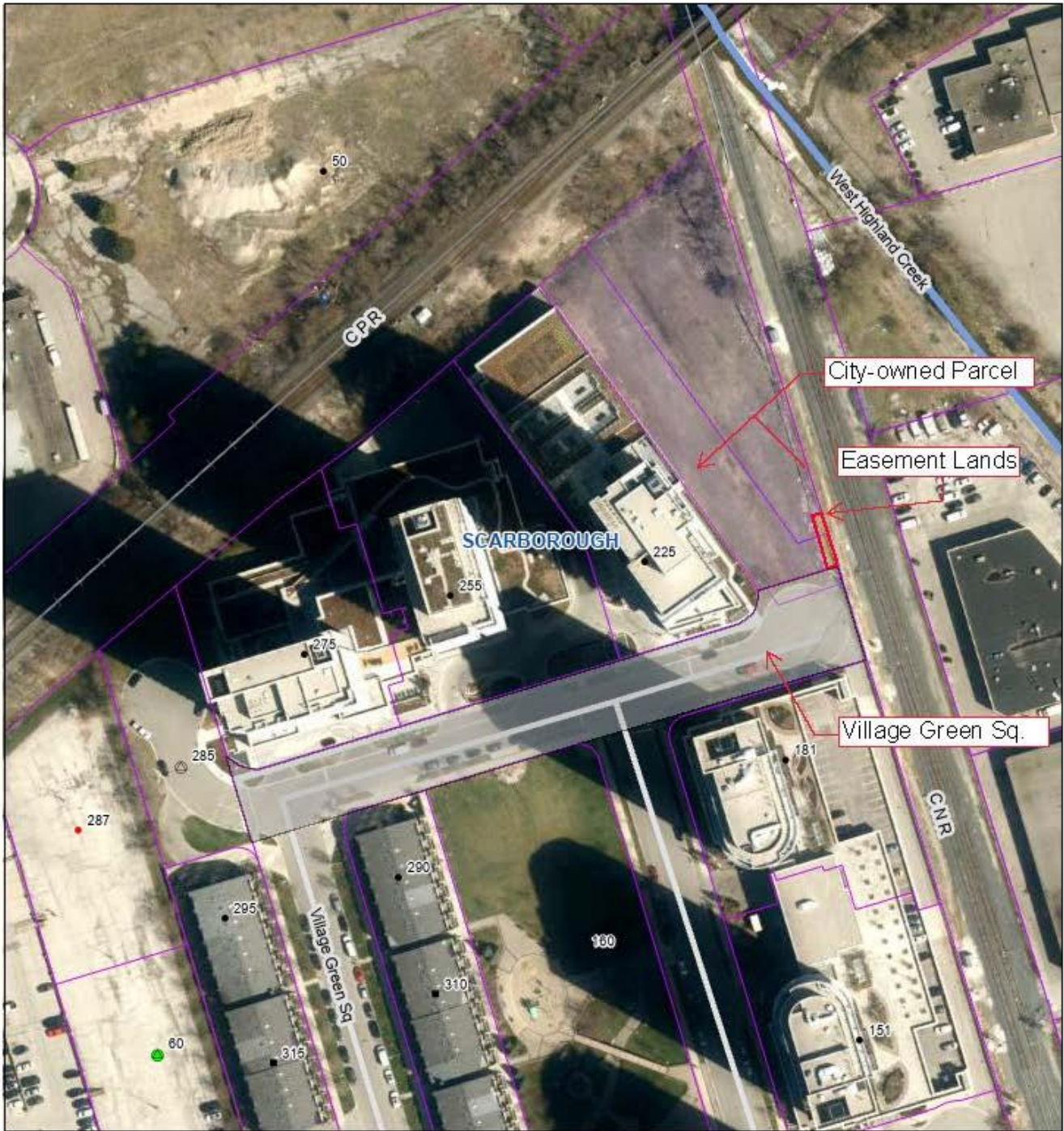
**Deputy City Manager, Corporate Services has approval authority for:**

- (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 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	Return to:
Niall Robertson, Manager, Real Estate Services	April 5, 2024	Signed by Niall Robertson	<b>Consultation with Councillor(s):</b> Councillor: Nick Mantas Contact Name: Nick Mantas Contacted by: Phone <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/> Comments: Councillor Mantas concurs with the recommendations herein.
Alison Folosea, Director, Real Estate Services	April 10, 2024	Signed by Alison Folosea	
Patrick Matozzo, Executive Director, Corporate Real Estate Management	April 29, 2024	Signed by Patrick Matozzo	
David Jollimore, Deputy City Manager, Corporate Services	April 30, 2024	Signed by David Jollimore	
			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:	Financial Planning	Division:	Toronto Transit Commission
Contact Name:	Ciro Tarantino, Sr. Analyst	Contact Name:	David Cooper
Comments:		Comments:	No permission to park will be permitted that interferes with TTC operations.
Real Estate Law Contact:	Vanessa Bacher, Solicitor	Date:	April 3, 2024

APPENDIX "A"



April 4, 2024

