



**STAFF REPORT  
ACTION REQUIRED**

**Conveyance of a Portion of 4375 14<sup>th</sup> Avenue**

<b>Date:</b>	June 8, 2009
<b>To:</b>	Government Management Committee
<b>From:</b>	Chief Corporate Officer
<b>Wards:</b>	Town of Markham
<b>Reference Number:</b>	P:\2009\Internal Services\F&re\Gm09049F&re – (AFS 10146)

**SUMMARY**

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This report seeks authority for the City to convey a portion of 4375 14<sup>th</sup> Avenue to the Regional Municipality of York.

**RECOMMENDATIONS**

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The Chief Corporate Officer recommends that:

1. The City convey a portion of 4375 14<sup>th</sup> Avenue, described as part of Lots 4 and 5, Concession 5, part of Part 2 on Plan 64R-8029, shown as Part 1 on Sketch No. PS-2009-056 (the “Property”), to The Regional Municipality of York (“York Region”) for nominal consideration, on terms satisfactory to the Chief Corporate Officer, and in a form satisfactory to the City Solicitor.
2. The City Solicitor be authorized to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions as she considers reasonable.

**Financial Impact**

No revenue will be generated from the City’s conveyance of the Property to York Region. The conveyance of the Property is one of the requirements of a site plan application submitted by the City to the Town of Markham and York Region for the expansion of the Milliken Reservoir.

All costs associated with the site plan application are included in the 2009 Approved Capital Budget for Toronto Water (CPW029 – Water Storage Expansion).

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

## **ISSUE BACKGROUND**

The Milliken Pumping Station and Reservoir is located at 4375 14<sup>th</sup> Avenue, west of Kennedy Road, in the Town of Markham, in York Region. The Milliken Reservoir was constructed and placed into service in 1975. The reservoir provides fire protection, system balancing, and emergency reserve storage for the City of Toronto and the Regional Municipality of York, and receives water from the City of Toronto's four water treatment plants via a transmission network and pumping stations. The reservoir surface lands have been leased to the Town of Markham at a nominal rate for limited parks and recreational purposes only.

The expansion of the Milliken Pumping Station and Reservoir is necessary to allow the City of Toronto to meet the recommendations of the Toronto-York Region Joint Optimization Study, updated in 2006, to double its capacity in order to support population growth projections and enhance water supply. The City of Toronto is required to supply an increased capacity to the Regional Municipality of York by January 1, 2011.

Before construction on the Milliken Pumping Station and Reservoir Expansion can begin, the City of Toronto must apply to the Regional Municipality of York for site plan approval. This requires entering into site plan agreements with the Regional Municipality of York and the Town of Markham.

## **COMMENTS**

A site plan application for this expansion was submitted by the City of Toronto to the Town of Markham and York Region for approval. A condition of site plan approval requires the City to convey the Property (total land area of 258.3m<sup>2</sup>) to York Region free of all costs and encumbrances. York Region requires the Property for road widening as shown in the York Region's official plan.

The construction contract for the Milliken Pumping Station and Reservoir Expansion is currently in the award stage. Recommendation to award was submitted to the June 3, 2009 Public Works and Infrastructure Committee meeting for approval by City Council on July 6 & 7, 2009.

In order to provide the increased capacity prior to January 1, 2011, it is essential for the construction to commence in the Summer of 2009. Construction may only commence when a building permit is issued by the Town of Markham, and that building permit is dependent on the execution of a site plan agreement with York Region, which agreement includes the requirement to convey the Property to York Region for road widening purposes.

Staff of Toronto Water has been consulted and concurs with the conveyance of the Property to York Region for nominal consideration. In accordance with the City's real estate disposal by-law, the Property was declared surplus by DAF 2009-068.

Details of the Property are as follows:

Approximate Size	Rectangular in shape
Approximate Area	Part 1: 258.3 m <sup>2</sup> ± (2,780.32 ft <sup>2</sup> ±)

By the date of consideration by City Council, 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 will have been complied with.

### **CONTACT**

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### **SIGNATURE**

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Bruce Bowes, P. Eng.  
Chief Corporate Officer

### **ATTACHMENTS**

Appendix "A" – Site Map and Sketch