

Approved pursuant to the Delegated Authority contained in Government Management Committee Item GM6.18 entitled "Policy with Respect to the Sale/Disposition of Land" adopted as amended by City Council on July 16, 17, 18 and 19, 2007. By-law No. 814-2007, enacted on July 19, 2007.

Prepared By:	Trixy Pugh	Division:	Real Estate Services
Date Prepared:	May 15, 2015	Phone No.:	(416) 392-8160

Purpose: To declare surplus a City-owned property known municipally as 70 Kewbeach Avenue, with the intended manner of disposition to be by way of a long term ground lease in favour of the Toronto District School Board, the term of which would exceed 21 years, in exchange for a release of TDSB's interest in a portion of Woodbine Park.

Property: 70 Kewbeach Avenue, known as Pantry Park and shown as Part 1 on Sketch No. PS-2015-038, attached as Appendix "A" (the "Property").

- Actions:**
1. The Property be declared surplus with the intended manner of disposal to be by way of a long term ground lease with the Toronto District School Board ("TDSB") in exchange for the release of TDSB's existing option to purchase a portion of the City-owned property located at 80 Northern Dancer Boulevard, being a portion of the lands known as Woodbine Park.
 2. Notice be published in a newspaper in circulation in the area of the Property and on the City's website.
 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. Based on a current valuation, the portion of Woodbine Park for which the TDSB will release its existing Option is at least of equivalent value to the Pantry Park lands that will be subject to the ground lease. The Deputy City Manager & Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.

Background: The Property was not acquired through expropriation proceedings.

Comments: The Toronto District School Board acquired an option to purchase City-owned lands (4.3 acres) at 80 Northern Dancer Boulevard (a portion of Woodbine Park) at nominal consideration for use as a school site by way of a Section 37 agreement (the "Option"). In 2012, the TDSB approached the City to exercise its Option. Subsequently, Staff also became aware of TDSB's intention to expand Kew Beach Public School, and its need to secure additional playfield space for its students as a result. City staff met with TDSB staff in 2014 to discuss the City's desire to maintain the entire Woodbine Park site as parkland, and potential options for providing open space that would permit the expansion of Kew Beach P.S. It was agreed that the Property, which immediately adjoins the school to the south, would be the most suitable space for use as a new playfield. Entering into a ground lease for the Property would also enable the TDSB to release its Option in a portion of Woodbine Park, ensuring that it remains available for use as public parkland.

The Property is designated as a Parks and Open Space Area under the Official Plan. Chapter 4.3 *Parks and Open Space Areas* ("POSA"), Policy 8 of the Official Plan states that no City owned lands in a POSA will be sold or disposed of, but may be exchanged for other nearby land of equivalent or larger area and comparable or superior green space utility. The TDSB has agreed to release its option to acquire the 4.3 acre parcel of City land located at 80 Northern Dancer Boulevard (Woodbine Park) in exchange for a long-term ground lease of the Property, with the length to be negotiated to the satisfaction of the General Manager, Parks, Forestry and Recreation, resulting in the City's unencumbered ownership of 80 Northern Dancer Boulevard. The Chief Planner and Executive Director of City Planning and the General Manager of Parks, Forestry & Recreation have confirmed that the land located at 80 Northern Dancer Boulevard is (i) nearby; (ii) of larger area; and (iii) of comparable green space utility as the Property.

By adoption of Item GM3.11, at its meeting held on May 5 and 6, 2015, City Council recommended with amendments, the granting of a long-term ground lease to TDSB, with the length to be negotiated to the satisfaction of the General Manager, Parks, Forestry and Recreation in exchange for TDSB releasing its option to purchase 80 Northern Dancer Boulevard. In addition to the other requirements identified in GM3.11 the lease will provide that the Property may be used by TDSB for the purposes of public parkland and open public space, or for outdoor school playground or playing field purposes and for no other purpose and that TDSB will maintain public access to the Property during non-school hours. The property needs to first be declared surplus, as the term of the lease will be greater than 21 years.

Property Details:

Ward:	32 – Beaches-East York
Assessment Roll No.:	Part of 1904-09-1-050-08900
Approximate Size:	74.6 m x 160 m ± (244.8 ft x 525 ft ±)
Approximate Area:	14,345.9 m ² ± (154,418 ft ² ±) (3.5 ac)

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 GM 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 and the GM 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.

Chief Corporate Officer has approval authority for:

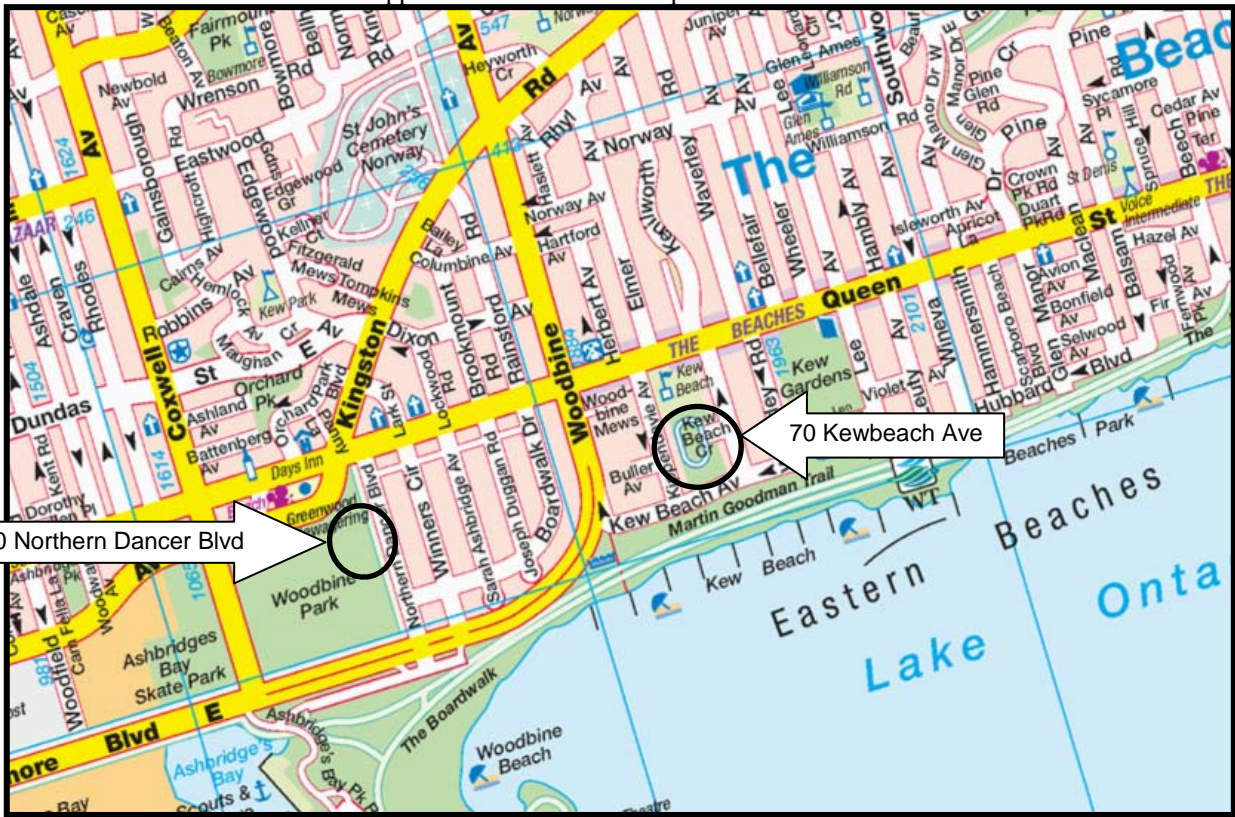
- A (1) declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
 - Councillor does not require 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.]**
 - n/a 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	May 15, 2015	Tasse Karakolis
Director	May 29, 2015	Joe Casali
Chief Corporate Officer	June 2, 2015	Josie Scioli
Return to: Trixy Pugh Real Estate Services Metro Hall, 55 John Street, 2nd Fl (416) 392-8160		
DAF Tracking No.: 2015-096		

Consultation with Councillor(s):									
Councillor:	Mary-Margaret McMahon								
Contact Name:	Mary-Margaret McMahon								
Contacted by	<input checked="" type="checkbox"/>	Phone	<input type="checkbox"/>	E-mail	<input type="checkbox"/>	Memo	<input type="checkbox"/>	Other	<input type="checkbox"/>
Comments:	<ul style="list-style-type: none"> Concurs with recommendation Does not require the matter to be determined by Council Does not require further consultation re: public notice 								
Councillor:									
Contact Name:									
Contacted by	<input type="checkbox"/>	Phone	<input type="checkbox"/>	E-mail	<input type="checkbox"/>	Memo	<input type="checkbox"/>	Other	<input type="checkbox"/>
Comments:									

Consultation with other Division(s):			
Division:	PF&R	Division:	Financial Planning
Contact Name:	Ryan Glenn	Contact Name:	Anthony Ng
Comments:	Incorporated into DAF	Comments:	Incorporated into DAF
Real Estate Law Contact:	Ray Mickevicius	Date:	April 22, 2015

Appendix "A": Location Map & Sketch



80 Northern Dancer Blvd

70 Kew Beach Ave



70 Kew Beach Ave

