

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.

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|-----------------------|-------------------|-------------------|----------------------|
| Prepared By: | Mario Lanzillotta | Division: | Real Estate Services |
| Date Prepared: | July 6, 2017 | Phone No.: | 416-338-0804 |

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|-----------------------------|--|--------------|-----------------------|-----------------------------|-----------------------------|--------------------------|---|--------------------------|--|---------------------------|-------------|
| Purpose: | To obtain authority to grant a temporary sub-surface easement for a term of twenty-one years less a day through portions of 21 Redway Road (North Toronto Water Treatment Plant) to Hydro One Networks Inc. ("HONI") for the purpose of housing underground transmission cable. | | | | | | | | | | |
| Property: | That portion of the property known as 21 Redway Road (North Toronto Water Treatment Plant) [legally described as PT LOT 11 & 12, CON 3 FTB; PART 1, RP 64R8775; shown as Parts 1 and 2 on Sketch No. PS-2017-001, being all of PIN 103820123] which portion is shown as Part 1 and Part 2 on Appendix "A" attached, being an sub-surface strata of approximately 3 meters in width and 4 meters in depth (the "Property"). | | | | | | | | | | |
| Actions: | <ol style="list-style-type: none"> 1. Authority be given to grant a temporary sub-surface easement of the Property to HONI for a term of twenty-one years less a day substantially on terms acceptable to the Chief Corporate Officer and in a form satisfactory to the City Solicitor. 2. Notice be published in a newspaper in circulation in the area of the Property and posted 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. The Deputy City Manager & Chief Financial Officer has reviewed this DAF and agrees with the financial impact information. | | | | | | | | | | |
| Background: | Hydro One has a 2017 Capital project it needs to undertake respecting its existing systems in the Leaside area. The new Leaside Transformer Station X Todmorden project involves an upgrade to Hydro One's two existing station properties (Leaside and Todmorden) as well as a new high voltage underground (strata) cable connecting these two stations. This cable pathway is shown on PS Sketch No. PS-2017-001 (Appendix "B"). Hydro One advises this new 3m wide and 4m below grade cable will be located within City lands currently under an existing Hydro One overhead right-of-way Agreement dated November 28, 1966. This Agreement provides temporary access to Hydro One for works purposes. | | | | | | | | | | |
| Comments: | <p>HONI originally requested a permanent easement; however, as the Property is within the Parks and Open Space Areas in the Official Plan, the disposal of such (by sale or easement over 21 years) is prohibited by the Official Plan. The Official Plan, however, stipulates that City-owned lands in the Parks and Open Space Areas may be exchanged for other nearby land of equivalent or larger area and comparable or superior green space utility. Alternatively, HONI may apply for an amendment to the Official Plan to permit a sale (or permanent easement over 21 years) of a defined portion of a particular park without the necessity for land exchange.</p> <p>Considering the urgency of the request, HONI revised its initial requirement and is now requesting a temporary easement, with the understanding that there will be no renewal or further grant of easement unless the relevant sections of the Official Plan for the City of Toronto have been amended or a site specific exemption has been granted to allow a permanent subsurface easement within the Property.</p> <p>PMC recommended that Part of 21 Redway Drive shown as Parts 1 and 2 on Sketch No. PS-2017-001 be declared surplus with the intended manner of disposal to be by way of entering into a temporary subsurface easement agreement with HONI. City Legal will ensure wording in the Agreement which addresses the need for an OPA prior to HONI acquiring permanent easement rights.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 30%;">Ward:</td> <td>29 – Toronto-Danforth</td> </tr> <tr> <td>Assessment Roll No.:</td> <td>Part of 1906-04-1-030-00850</td> </tr> <tr> <td>Approximate Size:</td> <td>3m (9.8 ft) wide and 4m (13.1 ft) below grade</td> </tr> <tr> <td>Approximate Area:</td> <td>Part 1 - 613.3 m² (6,601.50 ft²) Part 2 – 417.8 m² (4,497.16 ft²)</td> </tr> <tr> <td>Other Information:</td> <td>Vacant Land</td> </tr> </table> | Ward: | 29 – Toronto-Danforth | Assessment Roll No.: | Part of 1906-04-1-030-00850 | Approximate Size: | 3m (9.8 ft) wide and 4m (13.1 ft) below grade | Approximate Area: | Part 1 - 613.3 m ² (6,601.50 ft ²) Part 2 – 417.8 m ² (4,497.16 ft ²) | Other Information: | Vacant Land |
| Ward: | 29 – Toronto-Danforth | | | | | | | | | | |
| Assessment Roll No.: | Part of 1906-04-1-030-00850 | | | | | | | | | | |
| Approximate Size: | 3m (9.8 ft) wide and 4m (13.1 ft) below grade | | | | | | | | | | |
| Approximate Area: | Part 1 - 613.3 m ² (6,601.50 ft ²) Part 2 – 417.8 m ² (4,497.16 ft ²) | | | | | | | | | | |
| Other Information: | Vacant Land | | | | | | | | | | |
| Property Details: | <input checked="" type="checkbox"/> Yes <input 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 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:

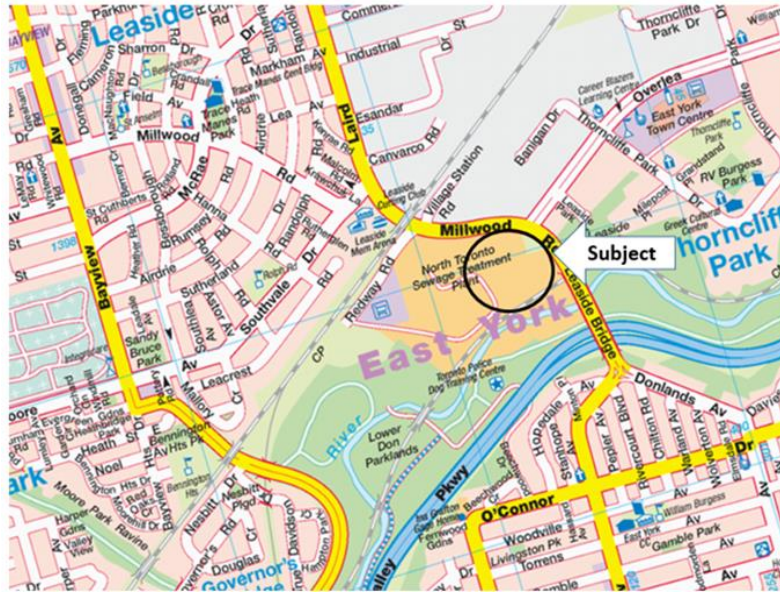
- A (1) declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
 - Councillor does not require 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

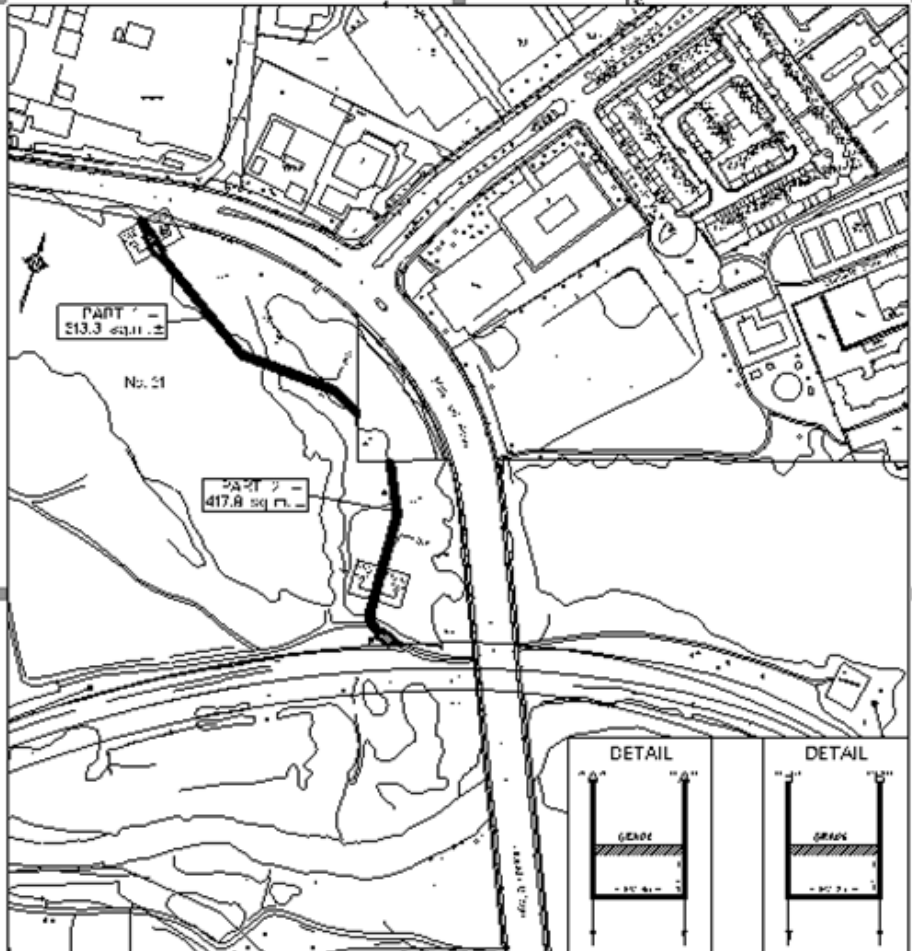
| Title | Date | Recommended/ Approved |
|---|---------------|------------------------|
| Manager | July 11, 2017 | Signed by Nick Simos |
| Director | July 17, 2017 | Signed by Joe Casali |
| Chief Corporate Officer | July 17, 2017 | Signed by Josie Scioli |
| Return to: | | |
| Mario Lanzillotta Real Estate Services Metro Hall - 55 John Street | | |
| DAF Tracking No.: 2017-193 | | |

| Consultation with Councillor(s): | |
|----------------------------------|---|
| Councillor: | Mary Fragedakis – June 30, 2017 |
| Contact Name: | |
| Contacted by | <input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other |
| Comments: | [to obtain Councillor concurrence to the following:] <ul style="list-style-type: none"> • No objections 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 |
| Comments: | |

| Consultation with other Division(s): | | | |
|--------------------------------------|---|---------------|---------------------------------------|
| Division: | Toronto Water | Division: | Finance |
| Contact Name: | Colin Marshall – April 10, 2017 | Contact Name: | Filisha Jenkins – June 28, 2017 |
| Comments: | Toronto Water has no concerns with the Hydro One request to expand the existing easement. | Comments: | No objections – reviewed and approved |
| Real Estate Law Contact: | Michele Desimone – Reviewed and approved | Date: | June 28, 2017 |

APPENDIX A - LOCATION MAP & AERIAL VIEW





PROPERTY INFORMATION SHEET
 CITY OWNED LAND
 PORTIONS OF NO. 21 REDWAY ROAD

DATE: JANUARY 9, 2017
 DRAWN BY: [Name]
 CHECKED BY: [Name]

DATE: JANUARY 9, 2017

SKETCH No. PS-2017-001