

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:	Mike Saffran	Division:	Real Estate Services								
Date Prepared:	August 9, 2017	Phone No.:	(416) 392-7205								
Purpose:	To declare surplus a portion of High Level Pumping Station park to Toronto Hydro-Electric System Limited ("THESL") for a long term easement interest (21 years or more) with the intended manner of disposal to be by way of granting a permanent easement to THESL for their underground service.										
Property:	A portion of High Level Pumping Station Park, municipally known as 235 Cottingham Street and 300 MacPherson Avenue, legally described as part of Lot 23, Concession 2 From The Bay, Township of York, being Part 1 and Part 2 on Plan 63R-1366, City of Toronto (being part of PIN No. 21218-0351); and Parcel 109-1, Section M18; Lot 109, Plan M18 Toronto and part of Lot 110, Plan M18, Toronto being Part 2 and Part 3 on Plan 66R-9581 City of Toronto, (being part of PIN No. 21218-0089), shown as a sub-surface strata being Parts 1 and 2 on 66R-28637 (the "Property") on the attached Schedule "A".										
Actions:	<ol style="list-style-type: none"> 1. The Property be declared surplus with the intended manner of disposal to be by way of granting a permanent easement to THESL for their underground service. 2. Notice be published in a newspaper in circulation in the area of the Property. 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:	<p>Toronto Hydro Electric System Ltd. has been in the process of upgrading and improving the electrical supply in the midtown area of the City of Toronto. As a result it has identified the Property as a sub-surface easement requirement, to allow for a tunnel corridor to its own facility located at 325 MacPherson Avenue.</p> <p>Originally, THESL requested a permanent easement over the Property, however, a temporary easement agreement was authorized by the Director of Real Estate Services on September 5, 2014 in DAF 2014-228. The temporary easement with a two year term allowed THESL to obtain and receive an Official Plan Amendment ("OPA") as the Property is within the Parks and Open Space Areas and any disposal of City-owned property, including granting an easement over 21 years, is prohibited in the Official Plan.</p> <p>At its meeting of May 3 and 4, 2016, City Council adopted with amendment, Item TE15.7 which amended the Official Plan for the Property and Area Specific Policy No. 265. On June 8, 2016, By-law No. 449-016 came in to full force and effect.</p> <p>THESL has obtained an OPA, and is now seeking its original request of a permanent easement over the Property. It should be noted that all below grade infrastructure work has now been completed.</p>										
Comments:	<p>A circulation to the City's ABCDs was undertaken to ascertain whether or not there is any municipal interest in retaining the Property. Toronto Water and Parks, Forestry and Recreation staff have provided comment and their concurrence as the permanent easement will be located below the Park and adjacent to the High Level Pumping Station.</p> <p>Accordingly, it is appropriate that the Property be declared surplus. The Property Management Committee has reviewed this matter and concurs.</p>										
Property Details:	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Ward:</td> <td>22 – St Paul's</td> </tr> <tr> <td>Assessment Roll No.:</td> <td>Portions of 1904-05-4-180-01200 & 1904-05-4-180-04600</td> </tr> <tr> <td>Approximate Area:</td> <td>606.5 m² (6,528.5 ft²)</td> </tr> <tr> <td>Other Information:</td> <td>Current use – High Level Pumping Station Park at grade</td> </tr> </table>			Ward:	22 – St Paul's	Assessment Roll No.:	Portions of 1904-05-4-180-01200 & 1904-05-4-180-04600	Approximate Area:	606.5 m ² (6,528.5 ft ²)	Other Information:	Current use – High Level Pumping Station Park at grade
Ward:	22 – St Paul's										
Assessment Roll No.:	Portions of 1904-05-4-180-01200 & 1904-05-4-180-04600										
Approximate Area:	606.5 m ² (6,528.5 ft ²)										
Other Information:	Current use – High Level Pumping Station Park at grade										
	<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:

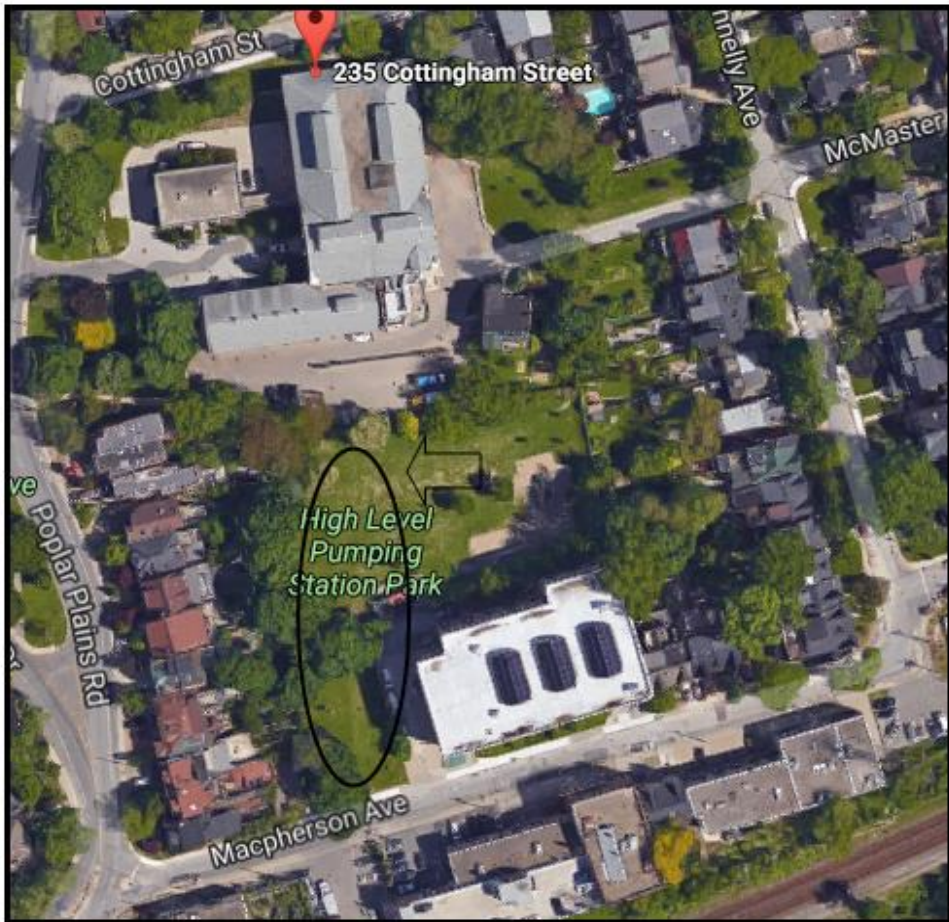
- A (1)** declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
 - Councillor does not require 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 Nick Simos	Aug. 9, 2017	Signed by Melanie Hale-Carter (for)
Director Joe Casali	Aug.10, 2017	Signed by Joe Casali
Chief Corporate Officer Josie Scioli	Aug. 14, 2017	Signed by Josie Scioli
Return to:		
Mike Saffran (392-7205) Real Estate Services 2 nd Floor, Metro Hall		
DAF Tracking No.: 2017-018		

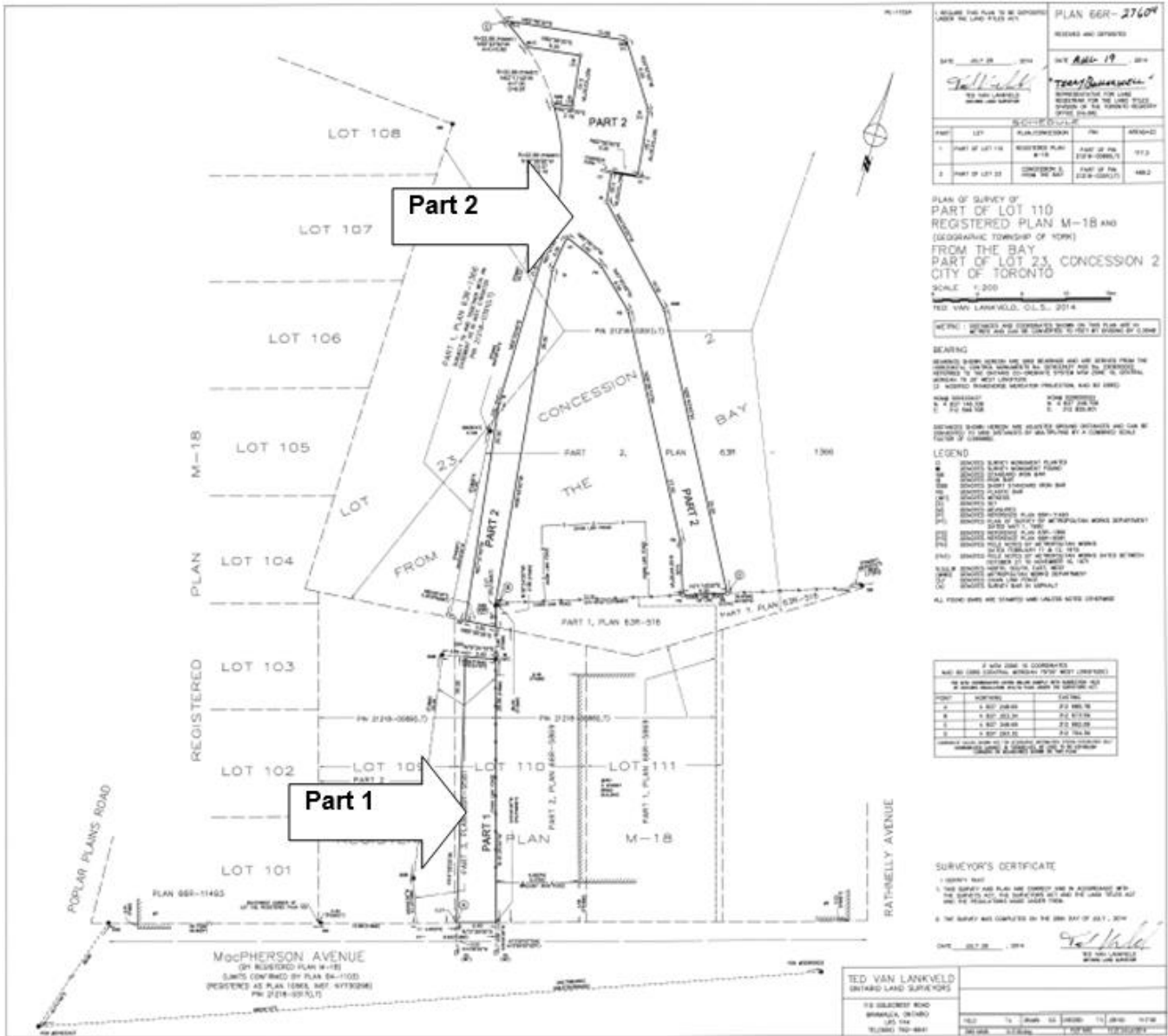
Consultation with Councillor(s):						
Councillor:	Josh Matlow					
Contact Name:	Andrew Athanasiasu					
Contacted by	<input checked="" type="checkbox"/> Phone	<input checked="" type="checkbox"/> E-mail	<input type="checkbox"/> Memo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Other
Comments:	<ul style="list-style-type: none"> No objections with recommendation – July 28, 2017 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"/>	<input type="checkbox"/>	<input type="checkbox"/> Other
Comments:						

Consultation with other Division(s):			
Division:	Toronto Water/ Parks Forestry & Recreation	Division:	Financial Planning
Contact Name:	Mike Brannon / David Douglas/ Desi Simova	Contact Name:	Filisha Jenkins
Comments:	Concurs / Concurs – July 31, 2017 – August 8, 2017	Comments:	Concurs with Financial Impact Statement – July 27 /17
Real Estate Law Contact:	Lisa Davies	Date:	July 27, 2017

Schedule "A"



Plan 66R-28637



PLAN 66R-27604

REVISED AND EXTENDED

DATE: JULY 28, 2014

DATE: April 19, 2014

Ted Van Lankveld

REGISTERED LAND SURVEYOR

PART	LOT	PLAN/CONCESSION	AREA	AREA-C2
1	PART OF LOT 110	REGISTERED PLAN M-18	PART OF PLAN 63R-516(1)	17.0
2	PART OF LOT 23	CONCESSION 2	PART OF PLAN 63R-516(1)	482.0

PLAN OF SURVEY OF
PART OF LOT 110
REGISTERED PLAN M-18 AND
(GEOGRAPHIC TOWNSHIP OF YORK)
FROM THE BAY
PART OF LOT 23, CONCESSION 2
CITY OF TORONTO

SCALE: 1:200

TED VAN LANKVELD, O.L.S., 2014

NOTE: 1. DIMENSIONS AND COORDINATES SHOWN ON THIS PLAN ARE FOR INFORMATION ONLY AND SHOULD BE CHECKED BY A LICENSED SURVEYOR.

2. ALL DIMENSIONS ARE TO CENTRE UNLESS OTHERWISE SPECIFIED.

3. ALL DIMENSIONS ARE TO BE CHECKED BY A LICENSED SURVEYOR.

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19. ALL DIMENSIONS ARE TO BE CHECKED BY A LICENSED SURVEYOR.

20. ALL DIMENSIONS ARE TO BE CHECKED BY A LICENSED SURVEYOR.

IF ANY DIMENSION COORDINATES
AND AN ERROR OCCURS, THE DIMENSIONS
SHOWN ON THIS PLAN SHALL BE USED TO
DETERMINE THE CORRECT DIMENSIONS TO BE USED.

COORDINATE	NORTHING	EASTING
1	4 807 288.00	72 868.76
2	4 807 288.00	72 868.76
3	4 807 288.00	72 868.76
4	4 807 288.00	72 868.76
5	4 807 288.00	72 868.76

SURVEYOR'S CERTIFICATE

I, THE SURVEYOR, HAVE BEEN ADVISED BY THE REGISTERED LAND SURVEYOR THAT THE DIMENSIONS AND COORDINATES SHOWN ON THIS PLAN ARE CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

THE SURVEY WAS COMPLETED ON THE 28th DAY OF JULY, 2014.

DATE: JULY 28, 2014

Ted Van Lankveld

REGISTERED LAND SURVEYOR

TED VAN LANKVELD
ONTARIO LAND SURVEYORS

NO.	DATE	DESCRIPTION	AREA	AREA-C2
1	2014	REGISTERED PLAN M-18	17.0	482.0
2	2014	CONCESSION 2	17.0	482.0