

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:	June 27, 2018	Phone No.:	(416) 392-8160
Purpose:	To declare surplus a long-term easement interest (21 years or more) in the City-owned parcel of land located at 5 Prince Arthur Avenue (the "Property"), with the intended manner of disposal to be by way of an easement to OPG Investment Holdings GP Inc., as general partner for and on behalf of OPG Investment Holdings Limited Partnership (collectively "Oxford") for access and loading purposes.		
Property:	A permanent easement interest in the land located at 5 Prince Arthur Avenue, being Part of Lot 8 on Plan 301 shown as Parts 1 to 4 on 66R-30124 (the "Easement Lands").		
Actions:	<ol style="list-style-type: none"> 1. The Easement Lands be declared surplus with the intended manner of disposal to be by way of a permanent non-exclusive easement to Oxford for access and loading purposes. 2. Notice be published in a newspaper in circulation in the area of the Property and be 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 Interim Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.		
Background:	The former Municipality of Metropolitan Toronto acquired the Property in 1960. The Property currently functions as a service lane, but looks like a private laneway. The adjacent owner at 4 Avenue Road, Oxford, owns and manages the Toronto Park Hyatt Hotel and has been using the Property for access and loading. Oxford has submitted a site plan application to redevelop their lands, and as part of the approval process, is required to secure an easement from the City to regularize access and loading activities.		
Comments:	A circulation to the City's ABCDs was undertaken to ascertain whether or not there is any municipal interest in retaining the Property. Bell Canada and Toronto Hydro require easements to protect existing equipment which will also be granted. Staff of the Affordable Housing Office has determined that there is no interest in the Property for affordable housing. Accordingly, it is appropriate that the Property be declared surplus. The Property Management Committee has reviewed this matter and concurs.		
Property Details:	Ward:	20 – Trinity-Spadina	
	Assessment Roll No.:	1904-05-2-080-01900	
	Approximate Size:	39.44 m x 10.27 m ± (424.5 ft x 110.5 ft ±)	
	Approximate Area:	465 m ² ± (5,005.2 ft ² ±)	
	Other Information:		
	<input type="checkbox"/> Yes <input checked="" 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.

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

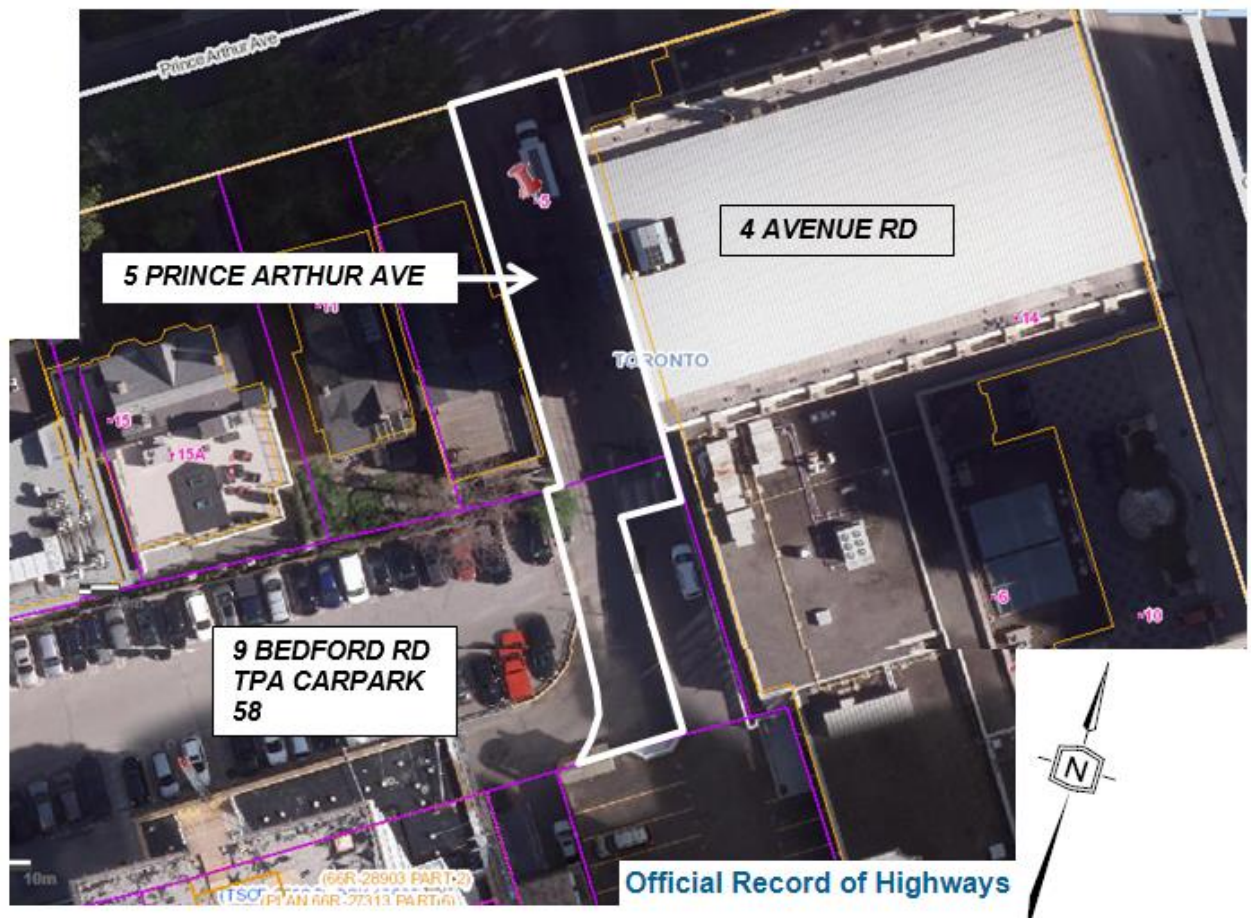
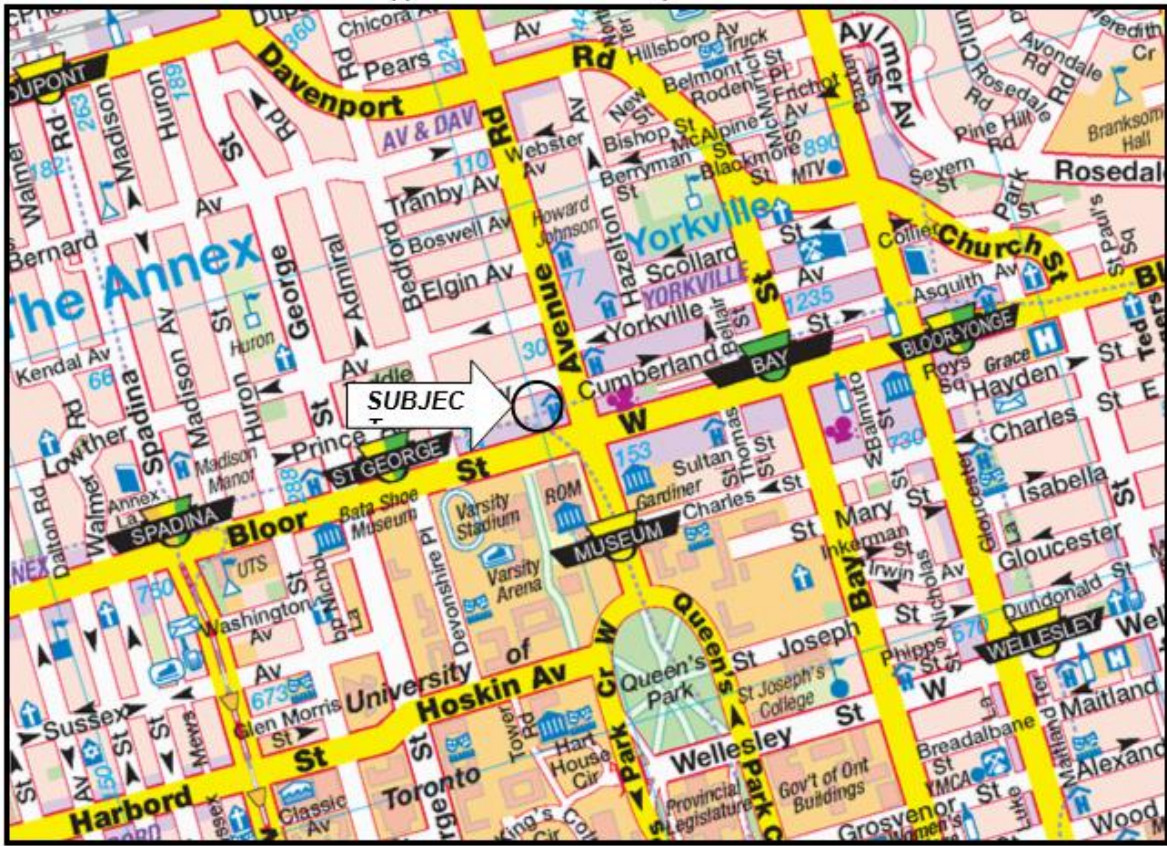
- A (1)** declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the Government Management Committee (§ 213-6).
- Councillor does not require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

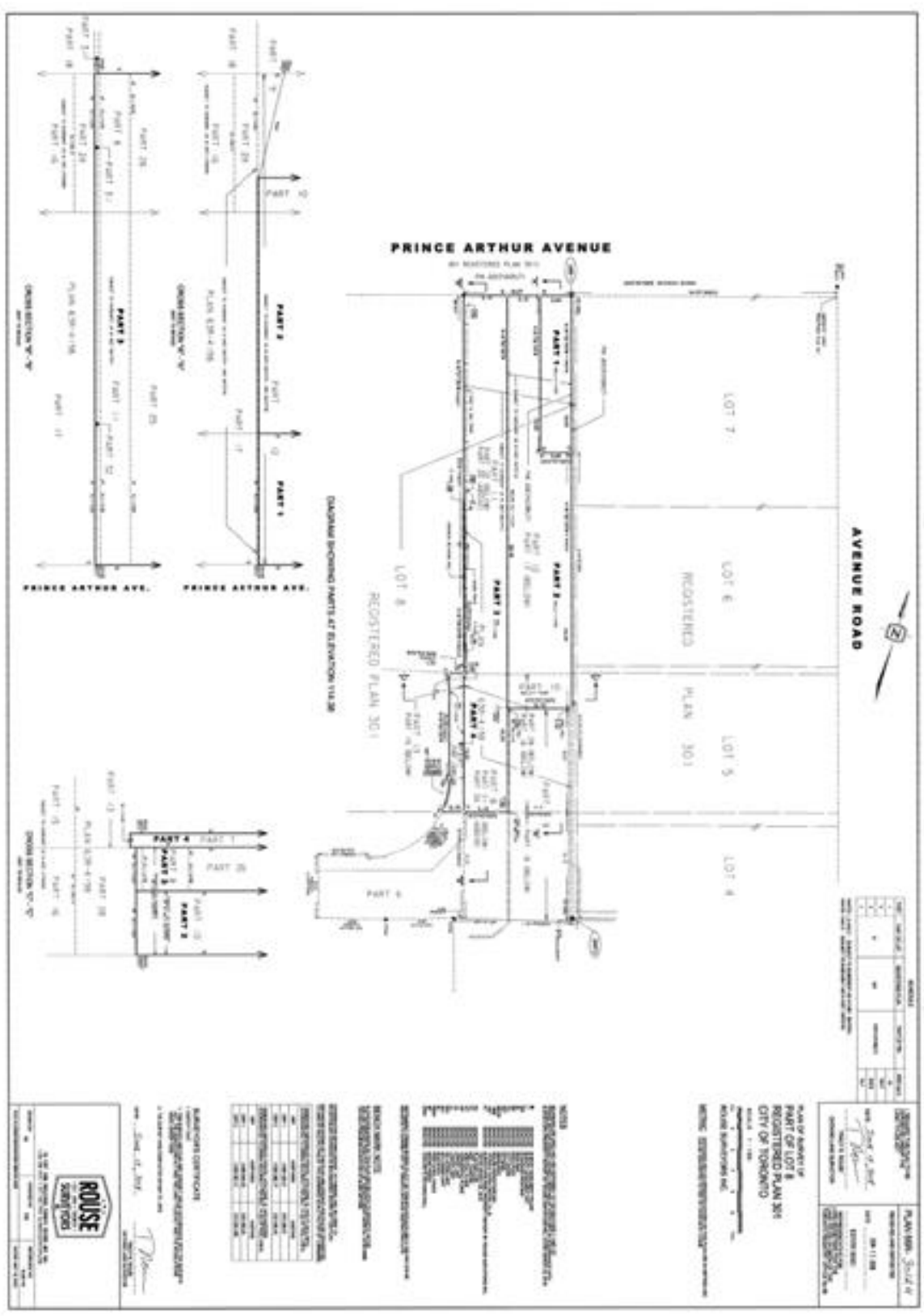
Title	Date	Recommended/ Approved
Manager	June 28, 2018	Signed by Nick Simos
Director		
Deputy City Manager, Internal Corporate Services	July 5, 2018	Signed by Josie Scioli
Return to: Trixy Pugh Metro Hall, 55 John Street, 2nd Floor (416) 392-8160		
DAF Tracking No.: 2018 - 226		

Consultation with Councillor(s):	
Councillor:	Joe Cressy
Contact Name:	Colin Burns (June 27, 2018)
Contacted by	Phone <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	<ul style="list-style-type: none"> No objections with recommendations Does not require the matter to be determined by Council Does not require further consultation re: public notice
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:	TPA	Division:	Financial Planning
Contact Name:	Joe Casali	Contact Name:	Patricia Libardo
Comments:	Incorporated into DAF (June 25, 2018)	Comments:	Incorporated into DAF
Real Estate Law Contact:	Michele Desimone (June 11, 2018)	Date:	June 11, 2018

Appendix "A": Location Map & Sketch





Lot No.	Area (sq. ft.)	Area (sq. m.)
Lot 4	1,234,567	114,435
Lot 5	1,345,678	124,723
Lot 6	1,456,789	135,011
Lot 7	1,567,890	145,299

REGISTERED PLAN 301
 PART OF LOT 8
 REGISTERED PLAN 301
 CITY OF TORONTO
 PLAN 301-1-1
 1:100
 DATE: 2011-11-08
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: AS SHOWN

NOTES

- SEE REGISTERED PLAN 301 FOR THE ENTIRE LOT 8.
- ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
- THE AREA OF THIS PLAN IS SUBJECT TO THE CITY OF TORONTO'S ZONING BY-LAW.
- THE CITY OF TORONTO'S ZONING BY-LAW IS SUBJECT TO THE CITY OF TORONTO'S ACTING MUNICIPAL CLERK'S OFFICE.
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Part No.	Area (sq. ft.)	Area (sq. m.)
Part 1	100,000	9,290
Part 2	100,000	9,290
Part 3	100,000	9,290
Part 4	100,000	9,290
Part 5	100,000	9,290
Part 6	100,000	9,290
Part 7	100,000	9,290
Part 8	100,000	9,290
Part 9	100,000	9,290
Part 10	100,000	9,290
Part 11	100,000	9,290

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