

Approved pursuant to the Delegated Authority contained in Government Management Committee Item GM6.18 entitled "Policy with Respect to the Sale/Disposition of Land", as adopted by City Council on July 16, 17, 18 & 19, 2007. City of Toronto Municipal Code Chapter 213, Real Property, Sale of, adopted by By-law No. 814-2007.

<b>Prepared By:</b>	Trixy Pugh	<b>Division:</b>	Real Estate Services
<b>Date Prepared:</b>	July 18, 2019	<b>Phone No.:</b>	(416) 392-8160
<b>Purpose:</b>	To declare surplus a portion of City-owned land located along the Rouge Riverbed east of Staines Road, and north of Morningside Avenue, with the intended manner of disposal to be by way of a transfer to Her Majesty the Queen in Right of Canada as represented by the Minister of the Environment and Climate Change for purpose of Parks Canada Agency ("Parks Canada") for the development of the Rouge National Urban Park for nominal consideration.		
<b>Property:</b>	Part of the City-owned parcel of land along the Rouge Riverbed east of Staines Road, and north of Morningside Avenue, being Part of Lots 11 and 12, Concession 4, Township of Scarborough, shown as Parts 1 to 4 on 66R-29991 and part of PIN 06053-0041 (LT) (the "Property") subject to the reservation of an easement for the City in favour of Toronto Water over the Property.		
<b>Actions:</b>	<ol style="list-style-type: none"> <li>1. The Property be declared surplus, subject to an easement in favour of the City, with the intended manner of disposal being a transfer to Parks Canada for the development of the Rouge National Urban Park.</li> <li>2. Notice be published in a newspaper in circulation in the area of the Property and on the City's website.</li> <li>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.</li> </ol>		
<b>Financial Impact:</b>	<p>The City of Toronto has entered into a Memorandum of Agreement with the Federal Government to transfer City-owned lands for the purpose of establishing the Rouge National Urban Park at nominal consideration.</p> <p>The Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.</p>		
<b>Background:</b>	<p>The Corporation of the City of Scarborough acquired the Property in 1983 for municipal purposes. The City will transfer Parts 1 to 4 to Parks Canada in connection with the development of the Rouge National Urban Park. The City will retain a permanent easement over Parts 1 to 4 to protect existing City infrastructure.</p> <p>The Property was not acquired through expropriation proceedings.</p> <p>City Council, at its meeting on November 27, 2012, adopted an Official Plan Amendment ("OPA") which allows for the transfer of City-owned lands designated Parks and Open Space Areas to the Federal Government for the purpose of establishing the Rouge National Urban Park. This OPA applies with respect to the proposed transfer of the Property.</p>		
<b>Comments:</b>	<p>A circulation to the City's Divisions and Agencies was undertaken to ascertain whether or not there is any municipal interest in retaining the Property. Toronto Water will retain an easement over the Property to protect, access and maintain the existing storm water pond. 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.</p> <p>The Technical Review Committee has reviewed this matter and concurs. The Huron-Wendat First Nation were contacted about the proposed transfer as City Council has previously investigated and acknowledged the Huron Wendat's connection to lands in the immediate vicinity of the Property and representatives of the First Nation confirmed in writing its support of the proposed transfer of the lands to Parks Canada.</p>		
<b>Property Details:</b>	<b>Ward:</b>	25 – Scarborough-Rouge River	
	<b>Assessment Roll No.:</b>		
	<b>Approximate Size:</b>		
	<b>Approximate Area:</b>	2,780 m <sup>2</sup> ± (29,925.7 ft <sup>2</sup> ±)	
	<b>Other Information:</b>		
<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 General Manager 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 of City Planning and the General Manager 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, 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
  - 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 18, 2019	Signed by Melanie Hale-Carter
Director	July 24, 2019	Signed by Nick Simos
Deputy City Manager, Corporate Services	July 24, 2019	Signed by Josie Scioli
<b>Return to:</b> <b>Trixy Pugh</b> <b>Real Estate Services</b> <b>Metro Hall, 55 John St 2<sup>nd</sup> Fl</b> <b>(416) 392-8160</b>		

Consultation with Councillor(s):						
Councillor:	Jennifer McKelvie					
Contact Name:	Ryan Pyne (December 5, 2018)					
Contacted by	Phone	<input checked="" type="checkbox"/>	E-mail	<input type="checkbox"/>	Memo	Other
Comments:	No objections					
Councillor:						
Contact Name:						
Contacted by	Phone	<input type="checkbox"/>	E-mail	<input type="checkbox"/>	Memo	Other
Comments:						

Consultation with other Division(s):			
Division:	Toronto Water	Division:	Financial Planning
Contact Name:	Bill Snodgrass	Contact Name:	Patricia Libardo
Comments:	Incorporated into DAF (Dec 13, 2018)	Comments:	Incorporated into DAF
Real Estate Law Contact:	Catherine Thomas (2-3670) (July 12, 2019)	Date:	(Nov 26, 2018)

Appendix "A": Location Sketch and Survey



