

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.

Prepared By:	Mark MacSorley	Division:	Real Estate Services
Date Prepared:	July 7 <sup>th</sup> , 2019	Phone No.:	416-392-3891

**Purpose:** To amend the intended manner of disposal of a City-owned parcel of land previously declared surplus by Delegated Approval Form No. 2017-100, executed May 19, 2017, from disposal by way of entering into a long-term lease agreement to disposal by way of granting a permanent easement (for which separate authority will be sought).

**Property:** Part of the City-owned land located within Woodbine Park, municipally known as 1131 Eastern Avenue, being Part of Lot 8, Broken Front Concession, City of Toronto, designated as Part 1 of Registered Plan 63R-4894 (the "**Property**"), attached hereto as Appendix "**A**".

- Actions:**
1. The method of disposal in respect of the Property be amended.
  2. An exemption be granted from the requirement to give notice to the public.
  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.
  4. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**Financial Impact:** There are no financial implications resulting from this approval as separate authority will be sought for the disposal. The Chief Financial Officer & Treasurer has reviewed this DAF and agrees with the financial impact information

**Background:** The Property forms part of Woodbine Park, which was originally leased to the Ontario Jockey Club. In July 1989, the former Municipality of Metropolitan Toronto entered into a 5-year lease agreement with The Consumers' Gas Company Ltd. (now Enbridge Gas Distribution Inc., "**Enbridge**") for the operation of a gas regulator station serving the south-east part of the City of Toronto and a southern portion of Scarborough. The lease was extended for two further 5-year terms.

The Property was brought to the TWC/PMC in January 2017 and a recommendation was made to further extend the term of the lease for a cumulative lease term which would exceed 21 years. Prior to the declaration of the Property as surplus, given the designation of the Property as *Parks and Open Space Areas* under the Toronto Official Plan, an Official Plan Amendment to add the Property to the list of properties in Site and Area Specific Policy No. 265 was first approved. On June 9, 2016, City Council enacted and passed By-Law No. 574-2016, resulting in Amendment No. 345 to the Official Plan. The Property was subsequently declared surplus by Delegated Approval Form No. 2017-100, in which the intended manner of disposal was by way of entering into a long-term lease agreement with Enbridge.

In June 2018, Enbridge requested that a permanent easement be granted for the continued operation and maintenance of its gas regulator station. The intended manner of disposal referenced in Delegated Approval Form No. 2017-100 is now being amended to reflect a disposal by way of granting a permanent easement to Enbridge (for which separate authority will be sought).

**Comments:** A circulation to the City's Divisions and Agencies was undertaken in February 2019 to ascertain whether or not there was any concern with amending the manner of disposal of the Property. The TRC reviewed this matter and recommended that the intended manner of disposal approved in Delegated Approval Form 2017-100 be amended to reflect a disposal by way of granting a permanent easement in favour of Enbridge (for which separate authority will be sought) for the continued use and maintenance of its gas regulator station.

<b>Property Details:</b>	<b>Ward:</b>	Ward 19 – Beaches-East York
	<b>Assessment Roll No.:</b>	Part of 19 04 091 020 001 01
	<b>Approximate Area:</b>	40.94 m <sup>2</sup> (440.67 ft <sup>2</sup> )
	<b>Other Information:</b>	Gas Regulator

Yes  No Lands are located within the Green Space System or the Parks & Open Space Areas of the Official Plan.

- (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 General Government and Licensing 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.]**
- X Councillor(s) agrees with exemption from notice to the public. **[Revise box to an x if any of (4)(a)-(f) applies.]**
- X (5) revising the intended manner of sale.
- (6) rescinding the declaration of surplus authority.

Title	Date	Recommended/ Approved
Manager	July 10, 2019	Signed by Tasse Karakolis
Director, Real Estate Services	July 17, 2019	Signed by Nick Simos
Deputy City Manager, Corporate Services	July 19, 2019	Signed by Josie Scioli
<b>Return to:</b> Mark MacSorley – Real Estate Services		

Consultation with Councillor(s):						
Councillor:	Brad Bradford					
Contact Name:	Ellen Pisani					
Contacted by	Phone	E-mail	<input checked="" type="checkbox"/> Memo	Other		
Comments:	No Concerns or Objections					
Councillor:						
Contact Name:						
Contacted by	Phone	E-mail	Memo	Other		
Comments:						

Consultation with other Division(s):			
Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Marie Barcellos
Comments:		Comments:	Concurs 05/28/2019
Real Estate Law Contact:	Seija Molema	Date:	

**Appendix "A"**  
**Site Location**



