

DELEGATED APPROVAL FORM
DEPUTY CITY MANAGER, CORPORATE SERVICES
EXECUTIVE DIRECTOR, CORPORATE REAL ESTATE MANAGEMENT

TRACKING NO.: 2024-169

Approved pursuant to the Delegated Authority contained in Article 2 of City of Toronto Municipal Code Chapter 213, Real Property

Prepared By:	Clinton van Niekerk	Division:	Corporate Real Estate Management
Date Prepared:	28/06/2024	Phone No.:	437 236 2707
Purpose	<p>To Transfer Operational Management (TOM) of the City owned properties municipally known as 320 Markham Rd, 50 Centre St, 53 Beachell St and untraveled public highway. Due to the complexity of the jurisdiction, multiple parts will be transferred to regularize the property. The following will be transferred</p> <ul style="list-style-type: none"> a) Parts 1-5, 7 & 9-11 on 66R-31577 and Part 4 on 66R-33040 (the "Property's") will be transferred to Parks, Forestry & Recreation to be used as a future park. b) Parts 6 & 8 on 66R-31577 and Parts 1 & 3 on 66R-33040 (the Property') will be transferred to Transportation Services to regularize the Centre St cul-de-sac. c) Stop up and close Part 4 on 66R-31577 and Part 4 on 66R-33040 as public highways in accordance with the requirements of City of Toronto Municipal Code, Chapter 162 		
Property	<p>The Properties are shown in "Appendix A" legally described as the following: Parts 1-11 on 66R-31577. Part 1, 3 & 4 on 66R-33040</p>		
Actions	<ol style="list-style-type: none"> 1. Authorize Transportation Services staff to give notice to the public of a proposed by-law to close the Properties (Part 4 on 66R-31577 and Part 4 on 66R-33040) as a public highway in accordance with the requirements of City of Toronto Municipal Code, Chapter 162, and, in addition, by publishing notice of the proposed by-law once in a local community newspaper, with the Ward 24 Community Council to hear any member of the public who wishes to speak to the matter during consideration of the proposed by-law. 2. Authorize Transportation Services staff to advise the public of the proposed closure of the Properties (Part 4 on 66R-31577 and Part 4 on 66R-33040) as a public highway prior to implementation, in accordance with the requirements of the Municipal Class Environmental Assessment for Schedule A+ activities, by posting notice of the proposed closure on the notices page of the City's Web site for at least five working days prior to the Ward 24 Community Council meeting at which the proposed by-law to close the Property as a public highway will be considered. 3. Conditional upon City Council approval to permanently stop up and close the Former Highway Lands as public highway (Part 4 on 66R-31577 and Part 4 on 66R-33040), transfer operational management of the Former Highway Lands from Transportation Services to Parks Forestry and Recreation ("PF&R"). 		
Financial Impact	<p>There are no acquisition costs and no expected environmental remediation costs as contamination is limited to the cul-de- sac area of Centre St which will not form part of the park.</p> <p>\$800,000 has been Council approved in PFR's 2023-2032 Capital Budget and Plan for the future park development in the 320 Markham Park Development sub-project (account CPR117-52-10). This is intended for base park design and construction as well as design work and public consultation for the master planning of the park.</p> <p>Pending the results of the public engagement and design work, a future capital request for additional funding to cover the full cost of park construction will be submitted in future budget submissions.</p> <p>The ongoing annual maintenance and operations costs of the proposed parkland are estimated to be approximately \$52,000 based on Parks, Forestry & Recreation's 2022 general parks maintenance budget. Any additional costs for the new parkland will be submitted for consideration through future operating budget submissions...</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.</p>		

Comments

Parks, Forestry & Recreation is requesting the transfer of operational management of 320 Markham Road, 47 Beachell Street, transportation corridor and part of Centre Street (collectively known as "320 Markham Rd") for the development of a 2.3 Hectare park. The property has been declared as surplus by Transportation Services to transfer the site to PFR as a future park.

Due to the complexity of the current jurisdiction and untraveled roadway bisecting the site, multiple parts need to be transferred to regularize the property. Parts 1-5, 7 & 9-11 on 66R-31577 and Part 4 on 66R-33040 will be transferred to Parks, Forestry & Recreation. Parts 6 & 8 on 66R-31577 and Parts 1 & 3 on 66R-33040 will be transferred to Transportation Services in order to regularize the Centre St cul-de-sac. (Appendices A).

A circulation to the City's Divisions and Agencies was undertaken to ascertain whether or not there was any other municipal interest in the Properties. No other municipal interest was expressed. The Technical Review Committee has reviewed this matter and concurs.

[Additional comments, are on page 4]

Property Details

Ward:	24
Assessment Roll No.:	Various lots and Roll No
Approximate Size:	Various lots and Sizes
Approximate Area:	Various lots and Sizes
Other Information:	

A.	Executive Director, Corporate Real Estate Management has approval authority for:	Deputy City Manager, Corporate Services has approval authority for:
<p>1. Acquisitions:</p> <p>2A. Expropriations Where City is Expropriating Authority:</p> <p>2B. Expropriations For Transit-Related Purposes Where City is Property Owner or Has Interest in Property Being Expropriated:</p> <p>3. Issuance of RFPs/REOs:</p> <p>4. Permanent Highway Closures:</p> <p>5. Transfer of Operational Management to Divisions, Agencies and Corporations:</p> <p>6. Limiting Distance Agreements:</p> <p>7. Disposals (including Leases of 21 years or more):</p> <p>8. Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan:</p> <p>9. Leases/Licences (City as Landlord/Licensor):</p> <p>10. Leases/Licences (City as Tenant/Licensee):</p> <p>11. Easements (City as Grantor):</p> <p>12. Easements (City as Grantee):</p> <p>13. Revisions to Council Decisions in Real Estate Matters:</p> <p>14. Miscellaneous:</p>	<p><input type="checkbox"/> Where total compensation does not exceed \$3 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.</p> <p>Request/waive hearings of necessity delegated to less senior positions.</p> <p><input type="checkbox"/> Issuance of RFPs/REOs.</p> <p><input checked="" type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><input checked="" type="checkbox"/> Transfer of Operational Management to Divisions, Agencies and Corporations.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 Million.</p> <p><input type="checkbox"/> Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.</p> <p><input type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$3 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding twelve (12) months, including licences for environmental assessments and/or testing, etc.</p> <p>Delegated to a more senior position.</p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$3 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$3 Million.</p> <p><input type="checkbox"/> (b) When closing roads, easements to pre-existing utilities for nominal consideration.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 Million.</p> <p><input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).</p> <p><input type="checkbox"/> (a) Approvals, Consents, Notices and Assignments under all Leases/Licences</p> <p><input type="checkbox"/> (b) Releases/Discharges</p> <p><input type="checkbox"/> (c) Surrenders/Abandonments</p> <p><input type="checkbox"/> (d) Enforcements/Terminations</p> <p><input type="checkbox"/> (e) Consents/Non-Disturbance Agreements/Acknowledgements/Estoppel Certificates</p> <p><input type="checkbox"/> (f) Objections/Waivers/Cautions</p> <p><input type="checkbox"/> (g) Notices of Lease and Sublease</p> <p><input type="checkbox"/> (h) Consent to regulatory applications by City, as owner</p> <p><input type="checkbox"/> (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title</p> <p><input type="checkbox"/> (j) Documentation relating to Land Titles applications</p> <p><input type="checkbox"/> (k) Correcting/Quit Claim Transfer/Deeds</p>	<p><input type="checkbox"/> Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million.</p> <p>Request/waive hearings of necessity delegated to less senior positions.</p> <p><input type="checkbox"/> Issuance of RFPs/REOs.</p> <p><input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><input type="checkbox"/> Transfer of Operational Management to Divisions, Agencies and Corporations.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.</p> <p><input type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$5 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding twelve (12) months, including licences for environmental assessments and/or testing, etc.</p> <p><input type="checkbox"/> (c) Where compensation is less than market value, provided tenant and lease satisfy Community Space Tenancy Policy criteria set out in Item EX28.8, as adopted by Council on November 7, 8 and 9, 2017, as amended from time to time.</p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$5 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> (b) When closing roads, easements to pre-existing utilities for nominal consideration.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).</p> <p><input type="checkbox"/> (a) Approvals, Consents, Notices and Assignments under all Leases/Licences</p> <p><input type="checkbox"/> (b) Releases/Discharges</p> <p><input type="checkbox"/> (c) Surrenders/Abandonments</p> <p><input type="checkbox"/> (d) Enforcements/Terminations</p> <p><input type="checkbox"/> (e) Consents/Non-Disturbance Agreements/Acknowledgements/Estoppel Certificates</p> <p><input type="checkbox"/> (f) Objections/Waivers/Cautions</p> <p><input type="checkbox"/> (g) Notices of Lease and Sublease</p> <p><input type="checkbox"/> (h) Consent to regulatory applications by City, as owner</p> <p><input type="checkbox"/> (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title</p> <p><input type="checkbox"/> (j) Documentation relating to Land Titles applications</p> <p><input type="checkbox"/> (k) Correcting/Quit Claim Transfer/Deeds</p>

B. Deputy City Manager, Corporate Services and Executive Director, Corporate Real Estate Management each has signing authority on behalf of the City for:

- Documents required to implement matters for which each position also has delegated approval authority.
- Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.
- Expropriation Applications and Notices following Council approval of expropriation.
- Community Space Tenancy Leases approved by delegated authority by the Deputy City Manager, Corporate Services and any related documents.

Pre-Condition to Approval

☒ Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property

Consultation with Councillor(s)

Councillor:	Paul Ainslie	Councillor:	
Contact Name:		Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>	Contacted by:	Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:		Comments:	

Consultation with Divisions and/or Agencies

Division:	Transportation Services	Division:	Parks Forestry and Recreation
Contact Name:	Troy Caron	Contact Name:	Jason Bragg
Comments:		Comments:	

Legal Services Division Contact

Contact Name:	N/A
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DAF Tracking No.: 2024-169	Signature
Recommended by: Manager, Real Estate Services Nike Coker	Signed by Nike Coker on July 16, 2024
Recommended by: Director, Real Estate Services Alison Folosea	Signed by Alison Folosea on August 22, 2024
<input type="checkbox"/> Recommended by: Executive Director, Corporate Real Estate Management <input type="checkbox"/> Approved by: Patrick Matozzo	Signed by Patrick Matozzo on August 23, 2024

Addition Comments:

The property will serve areas of parkland need identified in the Parkland Strategy, with less than 12m² of parkland per person available within a 500 m walk. The transfer of operational management of the site represents an opportunity to add a large park in a parkland priority area. The generally flat topography and the size of the site also allows for diverse park programming options to fulfill needs identified in the Parks & Recreation Facilities Master Plan.

A 2019 circulation and review process through Strategic Property Management Committee (now Operational Property Management Committee) identified no interests from other divisions and recommended the property be transferred to PFR for a new park (Appendix 1).

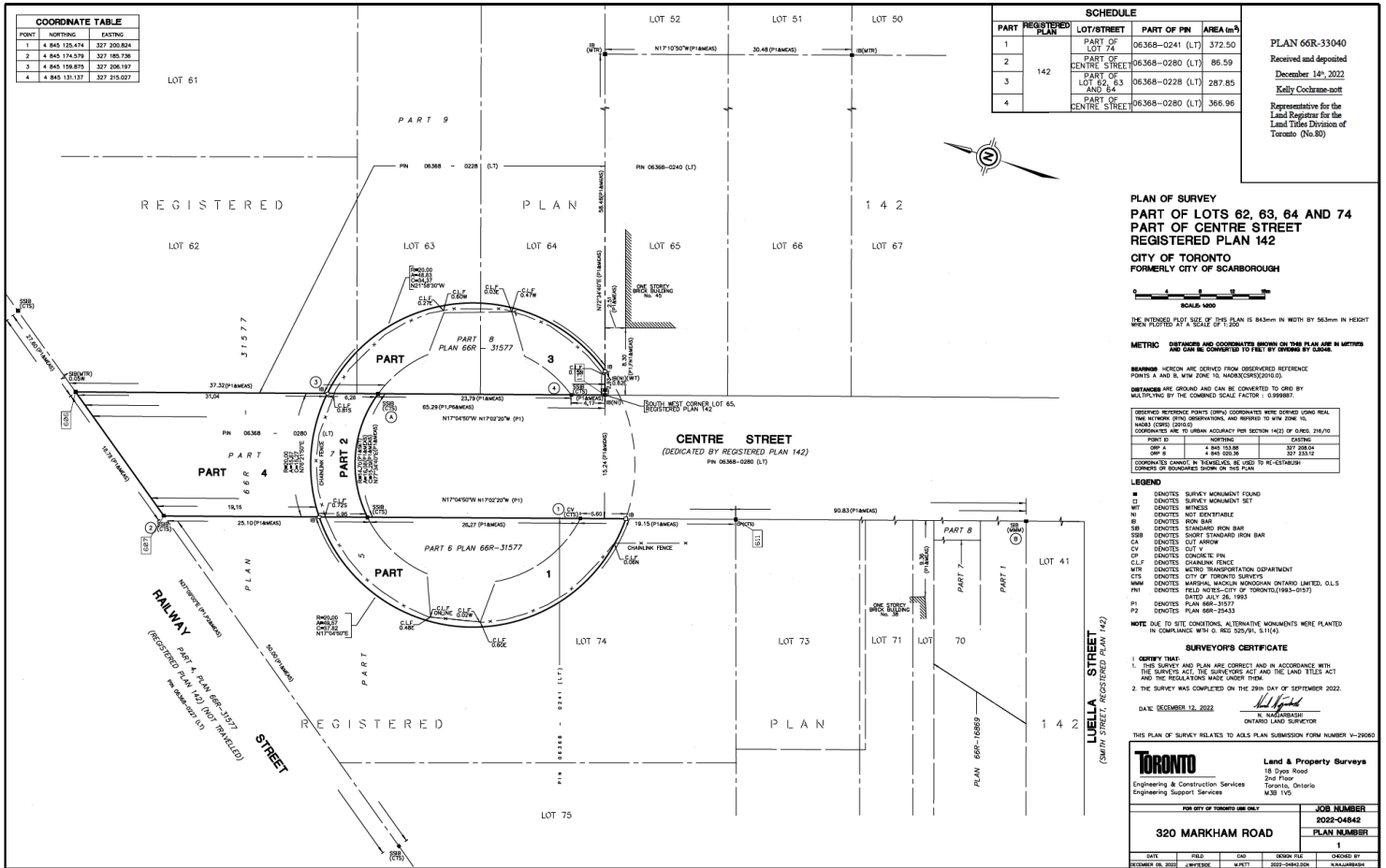
In October 2021, at the request of the local Councillor, staff in PFR, Housing Secretariat, City Planning and Corporate Real Estate Management, working with CreateTO, undertook a further review of the site's potential for modular affordable housing. The process concluded that the site is not suitable for affordable housing and reiterated direction for a future park.

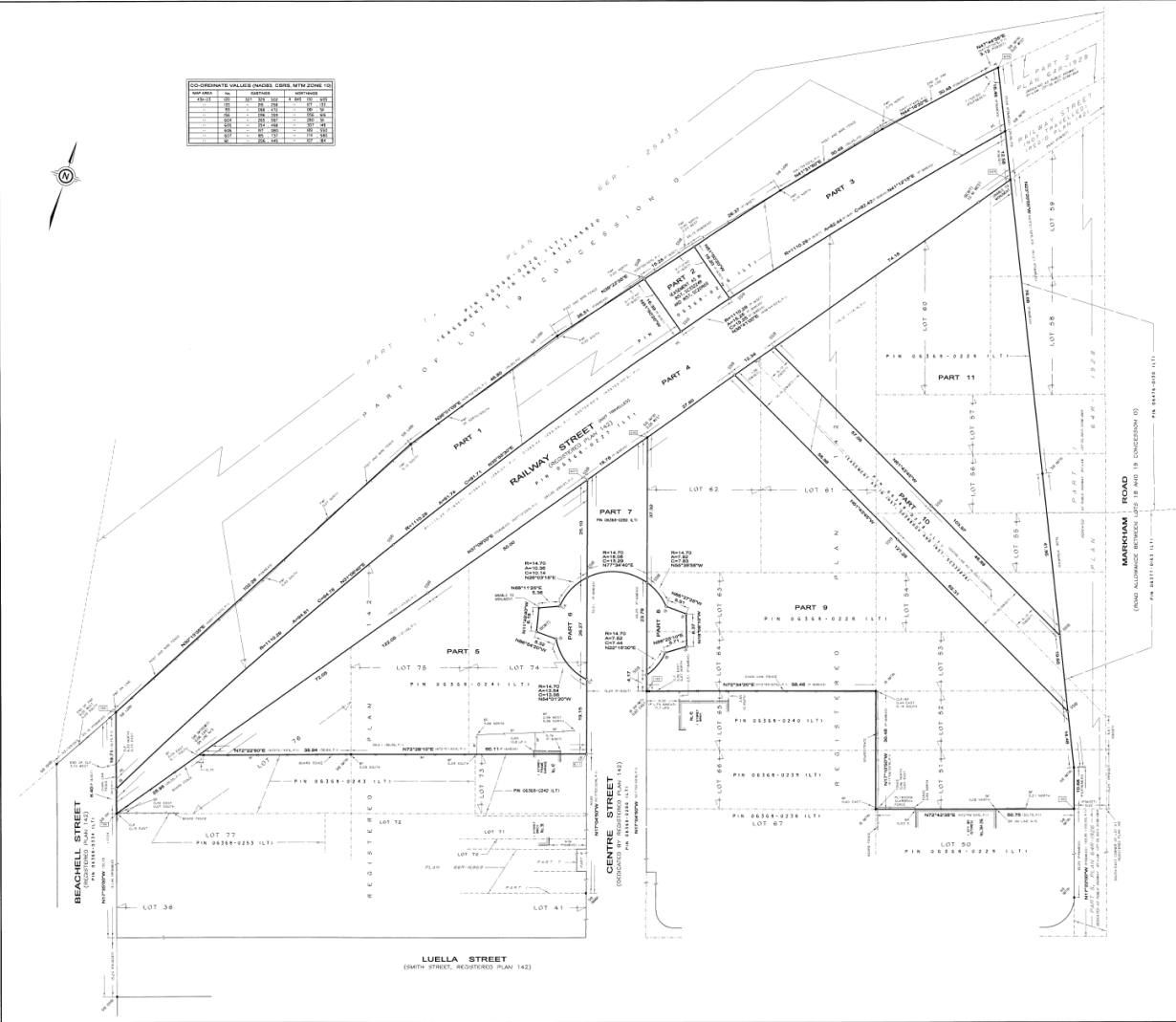
Future park development has been approved by City Council in PFR's 2023-2032 10-year Capital Budget and Plan. This is intended for initial base park development and a park design master planning process. PFR expects that further capital funding will be required, pending the outcome of the park design and public consultation processes. PFR will seek funding for any additional costs, including impacts to operating, through a future budget process.

However, the impact of illegal dumping activity in the past couple of years is being cleaned up by CREM prior to the transfer and the impact on the previous environmental analysis is still being determined.

Appendix "A"

Plan 66R-33040





PREPARE THIS PLAN TO BE DEPOSITED WITH THE LAND TITLED ACT.

DATE: 2020-04-20

DATE: 2020-04-20

DATE: 2020-04-20

PLAN 66R-31577

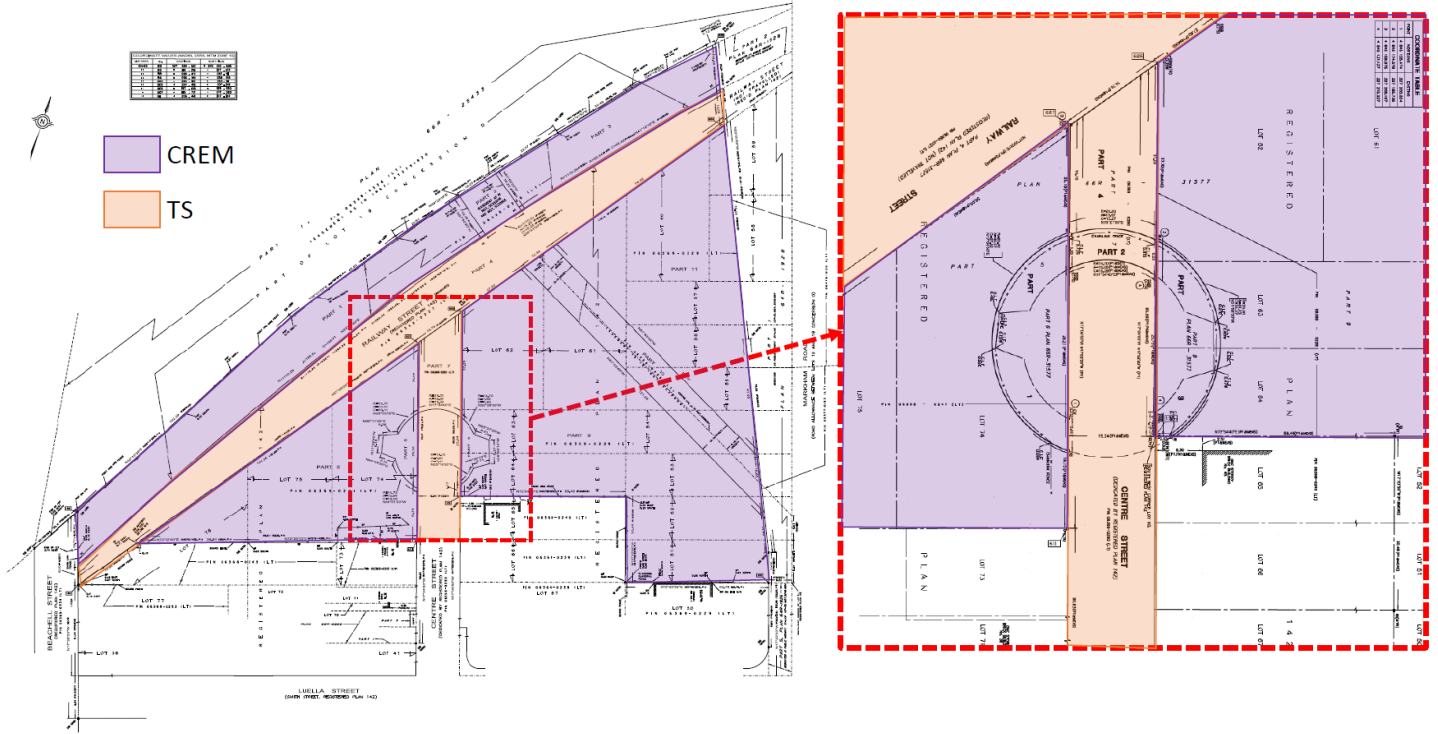
NO. 1-220

SCHEDULE

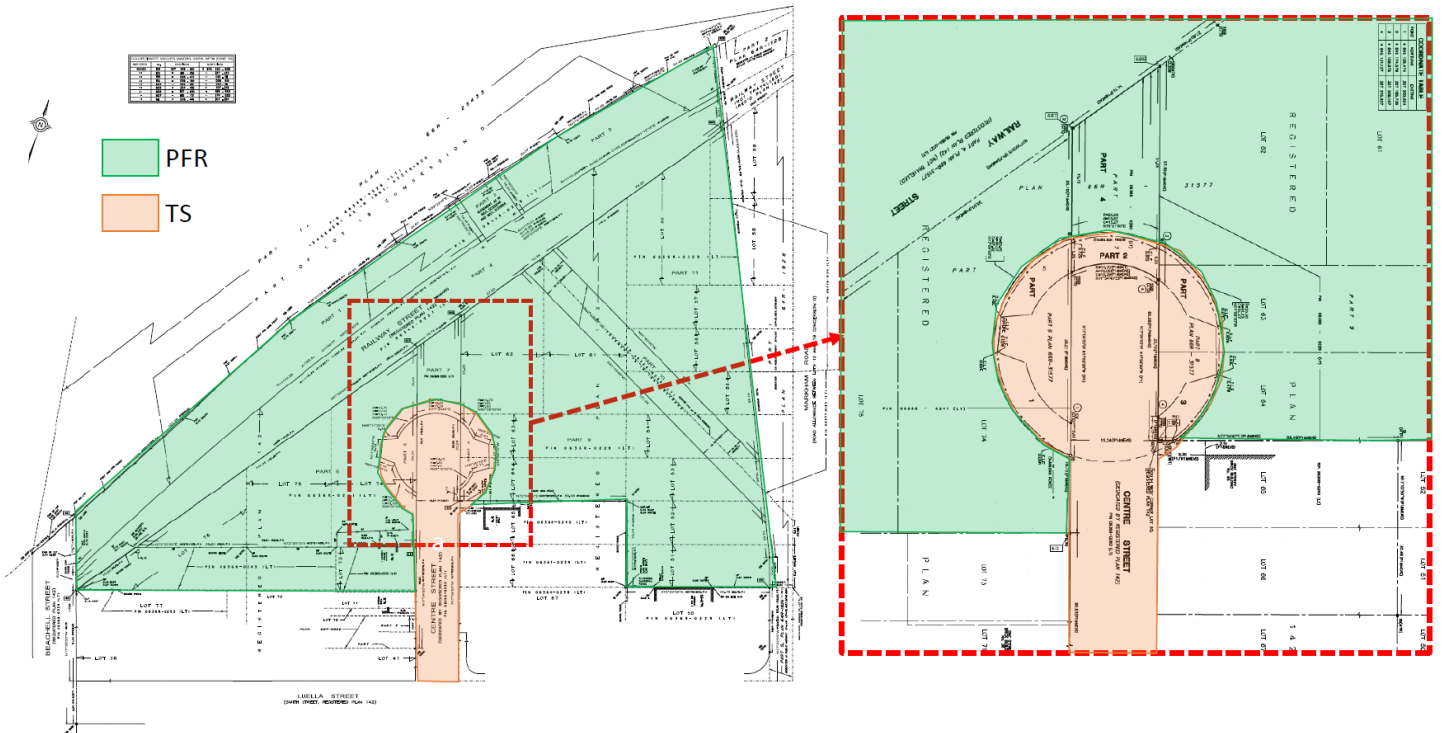
NO.	LOT	CONVEYANCE	AREA	REMARKS
1	1	CONVEYANCE	1.00	CONVEYANCE
2	2	CONVEYANCE	1.00	CONVEYANCE
3	3	CONVEYANCE	1.00	CONVEYANCE
4	4	CONVEYANCE	1.00	CONVEYANCE
5	5	CONVEYANCE	1.00	CONVEYANCE
6	6	CONVEYANCE	1.00	CONVEYANCE
7	7	CONVEYANCE	1.00	CONVEYANCE
8	8	CONVEYANCE	1.00	CONVEYANCE
9	9	CONVEYANCE	1.00	CONVEYANCE
10	10	CONVEYANCE	1.00	CONVEYANCE
11	11	CONVEYANCE	1.00	CONVEYANCE

PLAN OF SURVEY OF ALL OF LOTS 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 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Current Operational Management



Proposed Operational Management



Appendix "B"

Location Map

