

Approved pursuant to the Delegated Authority contained in Article 1 of City of Toronto Municipal Code Chapter 213, Real Property

Prepared By:	Brian Majcenic	Division:	Corporate Real Estate Management										
Date Prepared:	June 6, 2025	Phone No.:	416-392-1485										
Purpose:	To declare surplus a long-term easement interest (21 years or more) in a portion of the City-owned lands located directly adjacent to 520 Ellesmere Road with the intended manner of disposal to be by way of an exchange of easements with Centurion Appelt (520 Ellesmere) Limited Partnership (the "Applicant") for storm water management.												
Property:	A permanent easement interest in a portion of the Green Space lands directly adjacent to 520 Ellesmere Road, being part of PIN 06154-0026 (LT) and legally described as Pt Lt 32 Con 2 Scarborough as in SC197633 Toronto, City of Toronto and shown as Part 14 on Plan 66R-34375 in Appendix "A" (the "Easement").												
Actions:	<ol style="list-style-type: none"> 1. The Easement be declared surplus with the intended manner of disposal to be by way of an exchange of a permanent easement with the Applicant, as the Chief Planner & Executive Director of City Planning and the General Manager of Parks and Recreation have confirmed that the interest being exchanged is (i) nearby land of equivalent or larger area and (ii) of comparable or superior green space utility. 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. 												
Financial Impact:	There are no financial implications resulting from this approval. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.												
Background:	<p>The Applicant has applied to the City for site plan approval in respect of its development of a 6-story office building on its property at 520 Ellesmere Road. Prior to final site plan approval, the Applicant is required to obtain a permanent easement from the City to permit the construction and ongoing maintenance of a "cut through channel" (delineated as Part 14 on Appendix "A") from a creek located on City property to allow flood waters to flow into a flood storage facility on the Applicant's property, and back to the creek, to the satisfaction of Toronto Water. The flood storage facility is necessitated by Toronto and Region Conservation Authority requirements that address loss of flood plain storage caused by the previous property owner filling the floodplain on another portion of the property.</p> <p>In exchange for a permanent easement with an area of 100.7m² on lands currently designated Parks and Open Areas – Parks, the Applicant will convey to the City a 6-meter-wide permanent access easement (delineated as Part 13 on Appendix "A") from the 520 Ellesmere Road property entrance to the stormwater outfall that discharges to the creek at the north end of the property, directly adjacent to the south of the City lands. The access easement will allow City access to the property for the inspection and removal of debris from the storm sewer discharge to the Creek and to carry out other required operations and maintenance of the outfall. A total of 393.8m² of land will be conveyed to the City as part of the land exchange.</p>												
Comments:	A circulation to the City's Divisions and Agencies was undertaken to ascertain whether or not there is any municipal interest in the Easement. No municipal interest was expressed. Staff of the Housing Secretariat has determined that there is no interest in the Property for affordable housing. Accordingly, it is appropriate that the permanent Easement be declared surplus. The Technical Review Committee has reviewed this matter and concurs.												
Property Details:	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Ward:</td> <td>21 - Scarborough Centre</td> </tr> <tr> <td>Assessment Roll No.:</td> <td>190103350000100</td> </tr> <tr> <td>Approximate Size:</td> <td></td> </tr> <tr> <td>Approximate Area:</td> <td>100.7 m²</td> </tr> <tr> <td>Other Information:</td> <td></td> </tr> </table>			Ward:	21 - Scarborough Centre	Assessment Roll No.:	190103350000100	Approximate Size:		Approximate Area:	100.7 m ²	Other Information:	
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	<input checked="checked" type="checkbox"/> Yes <input type="checkbox"/> No Lands are located within the Parks & Open Space Areas of the Official Plan, within or outside of the Green Space System.												

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 Parks & Open Space Areas of the Official Plan, within or outside of the Green Space System:**
- ☐ A. A site-specific Official Plan Amendment has been enacted and is in force exempting the lands from the prohibition on sale or disposal; or
- ☒ B. The Chief Planner & Executive Director of City Planning and the General Manager of Parks & Recreation have confirmed that:
- ☒ (a) the land being exchanged is (i) nearby land of equivalent or larger area, and (ii) of comparable or superior green space utility; or
- ☐ (b) the sale or disposal satisfies the criteria for sale or disposal in Policy 4.3.9 of the Official Plan.

Deputy City Manager, Corporate Services has approval authority for:

- ☒ (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 appropriate standing committee (§ 213-1.6).
- ☒ 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 (§ 213-1.7).
- ☐ 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 (§ 213-1.4):
- ☐ (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 (§ 213-1.5):
- ☐ (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, Real Estate Services	June 9, 2025	Signed by Vinette Prescott-Brown
Director, Real Estate Services	June 10, 2025	Signed by Alison Folosea
Executive Director, Corporate Real Estate Management	June 10, 2025	Signed by Patrick Matozzo
Deputy City Manager, Corporate Services	June 13, 2025	Signed by David Jollimore
Return to: Brian Majcenic, Real Estate Services		

Consultation with Councillor(s):					
Councillor:	Michael Thompson				
Contact Name:					
Contacted by	Phone	E-mail	X	Memo	Other
Comments:					
Councillor:					
Contact Name:					
Contacted by	Phone	E-mail		Memo	Other
Comments:					

Consultation with other Division(s):			
Division:	Toronto Water	Division:	Parks and Recreation
Contact Name:	Lisa MacCumber	Contact Name:	Suzanne Coultres
Comments:		Comments:	
Real Estate Law Contact:	Tammy Turner	Date:	

Location Map

