DELEGATED APPROVAL FORM
DECLARE SURPLUS

TRACKING NO.: 2026-018

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

Prepared By:	Avery Carr	Division:	Corporate Real Estate Management
Date Prepared:	December 8, 2025	Phone No.:	647-458-1934

Purpose: To declare surplus a long-term easement interest (21 years or more) in the substrata portions of the City-owned land located along a portion of Don Roadway south of Lake Shore Boulevard East and north of Commissioners Street, with the intended manner of disposal to be by way of an easement to Hydro One Networks Inc. (HONI) for hydro tower foundations.

Property: A permanent easement interest in the substrata portions of Don Roadway Road running southerly from Lake Shore Boulevard East to Commissioners Street, designated as Parts 10, 12, 16, 18, 19, 21, 22, 24, 56 and 58 on Registered Plan 66R-34698, as displayed in Appendix "A" (the "Easement Lands").

Actions:

1. The Easement Lands be declared surplus, with the intended manner of disposal to be by way of an easement to Hydro One Networks Inc. for hydro tower foundations.
2. An exemption be granted from the requirement to give notice to the public and/or to obtain an appraisal.
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: As part of the Port Lands Flood Protection Project, Waterfront Toronto ("WT") has completed the reconstruction of a portion of the Don Roadway between Lake Shore Boulevard East and Commissioners Street. To facilitate flood protection in the area, WT have constructed a Flood Protection Landform ("FPL") underneath the surface of the new Don Roadway. A Restrictive Covenant in favour of the Toronto and Region Conservation Authority ("TRCA") will be registered over the FPL.

HONI, in consultation with and with the approval of WT and TRCA has installed four hydro tower foundations in or immediately adjacent to the FPL. Upon registration of the Restrictive Covenant, HONI will require an easement from the City to access and repair their tower foundations located within the FPL layer and below, which requires the City to declare the Easement Lands surplus.

Comments: A circulation to the City's Divisions and Agencies was not undertaken. However, staff from Toronto Water, Transportation Services and Parks and Recreation have been involved in discussions regarding the Don Roadway, the FPL and the HONI easement, and are aware of and supportive of the City granting a permanent easement to HONI for the tower foundations. Accordingly, it is appropriate that the Easement be declared surplus.

The permanent closure of the substrata portion of Don Roadway as a public highway is not required as the underlying easement does not conflict with, or compromise, Don Roadway's ongoing function and use as a public highway.

Property Details:

Ward:	14 – Toronto-Danforth
Assessment Roll No.:	
Approximate Size:	
Approximate Area:	
Other Information:	

☐ Yes ☒ 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:

[X] **(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).

[X] 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.]**

[X] **(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*
[X] (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		
Director, Real Estate Services	Jan 20, 2026	Signed By Alison Folosea
Executive Director, Corporate Real Estate Management	21-Jan-2026	Signed By Patrick Matozzo
Deputy City Manager, Corporate Services	Jan 22, 2026	Signed By David Jollimore
Return to: Avery Carr, Real Estate Services		

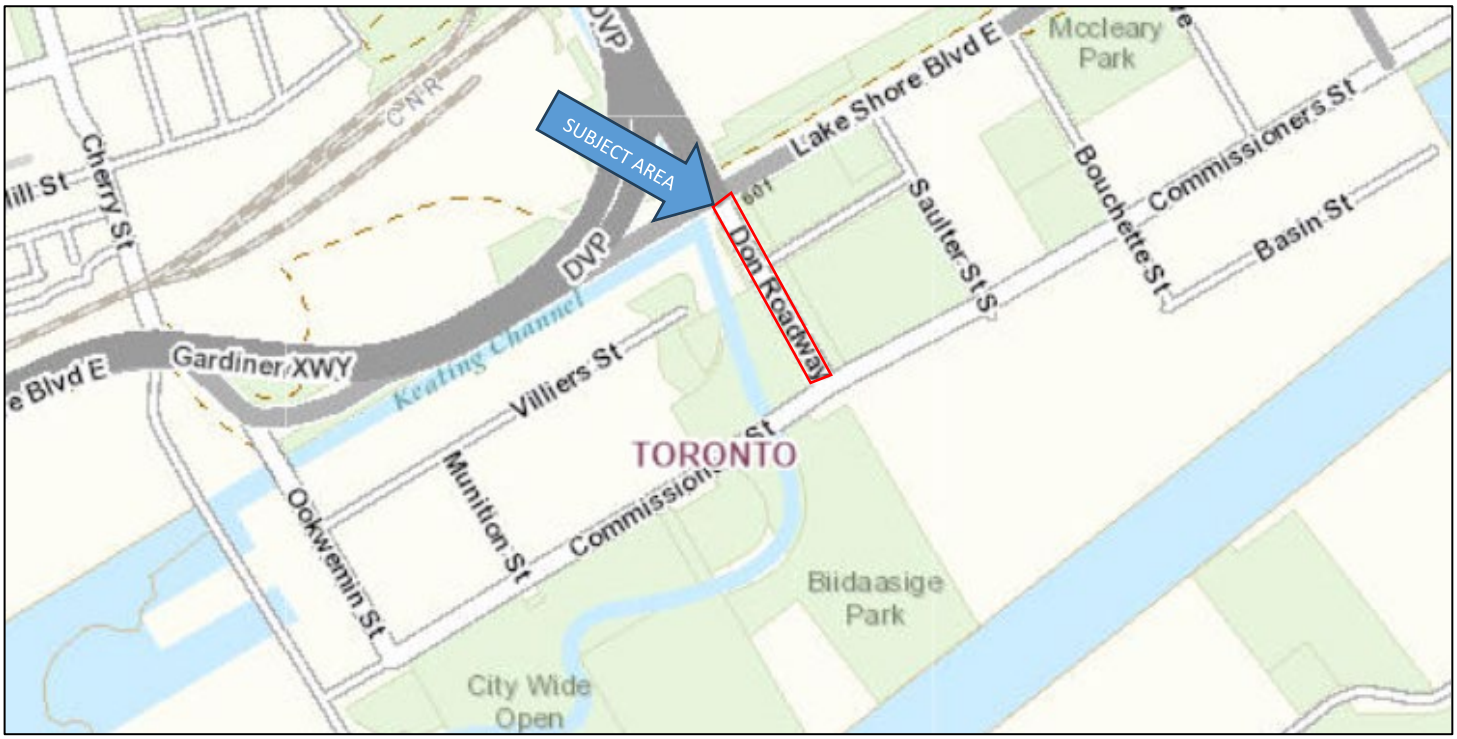
Consultation with Councillor(s):								
Councillor:	Paula Fletcher							
Contact Name:	Catherine LeBlanc-Miller							
Contacted by	X	Phone	X	E-mail		Memo		Other
Comments:	Concurs with the recommendation							
Councillor:								
Contact Name:								
Contacted by		Phone		E-mail		Memo		Other
Comments:								

Consultation with other Division(s):			
Division:	Transportation Services	Division:	
Contact Name:	David Hunter	Contact Name:	
Comments:	No comments	Comments:	
Real Estate Law Contact:	Anders Knudsen	Date:	

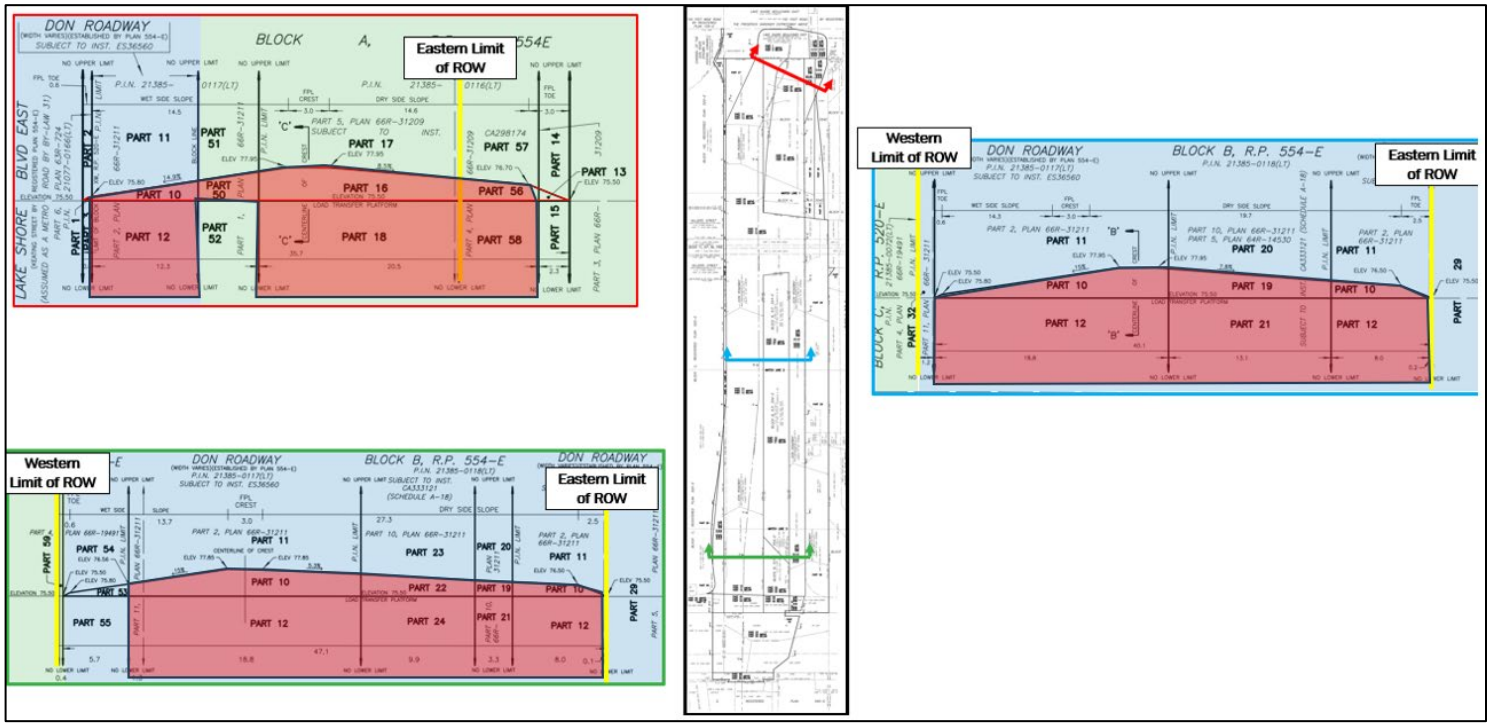
Revised: January, 2025

Appendix “A”

Location Map



Cross section of Reference Plan 66R-34698



Easement Lands