

**200 Manitoba Street - Amendment to Development Agreement Related to Parkland Conveyance of Parcel G**

<b>Date:</b>	March 5, 2007
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Brenda Librecz, Parks, Forestry and Recreation
<b>Wards:</b>	Ward 6 – Etobicoke Lakeshore
<b>Reference Number:</b>	

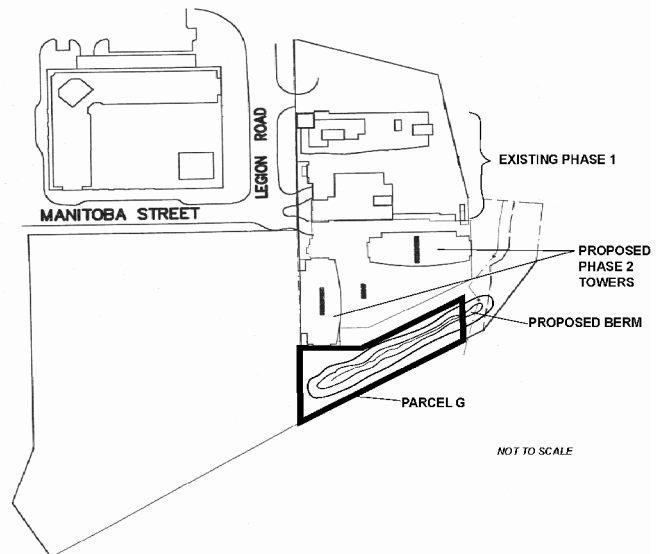
**SUMMARY**

The purpose of this report is to replace an over dedication of parkland for a trails connection and replace it with an easement in favour of the City.

**RECOMMENDATIONS**

The General Manager of Parks, Forestry and Recreation recommends that:

1. Council authorize the City Solicitor to amend Clauses 67-70 and 72.3 of Development Agreement (Instrument No. E042854) to grant the City a public easement over Parcel G for a trail connection;
2. Council authorize the City Solicitor to enter into an Easement Agreement with the owner to grant an easement in favour of the City over Parcel G on Plan 66R-22265;
3. Council authorize the City Solicitor to release Parcel G from the Escrow Agreement executed on May 13, 2002; and
4. Council authorize the City Solicitor to make such stylistic and technical changes to the agreement as required.



## **Financial Impact**

There are no financial implications resulting from the adoption of this report.

## **DECISION HISTORY**

The property is subject to the Official Plan and Zoning By-Law amendment applications which were approved by City Council in 1996. The Development Agreement (Instrument No. E042854), which required the conveyance of Parcel G as parkland, was issued on November 18, 1996. The Escrow Agreement, to secure Parcel G for parkland, was executed on May 13, 2002.

## **ISSUE BACKGROUND**

Parcel G is an over dedication of parkland that was required to secure a trail connection to the Mimico Creek trail. Since the execution of the Development Agreement and Escrow Agreement, CN required a noise attenuation berm and fencing on Parcel 'G' which will impact parkland use and increase maintenance costs. The developer has also proposed parking under Parcel 'G' which may also impact park maintenance costs.

## **COMMENTS**

Parks Forestry and Recreation and the Owner have negotiated an approach whereby the Owner would retain ownership of Parcel 'G' and grant an easement for a trail connection to the satisfaction of the City. City objectives for the trail connection would be achieved and the owner has agreed to construct and maintain the trail in perpetuity.

## **CONTACT**

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## **SIGNATURE**

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