



**STAFF REPORT
ACTION REQUIRED**

**Proposed Acquisition of Part of 243 Alberta Avenue
(Roseneath Gardens Parkette)**

Date:	September 27, 2007
To:	Government Management Committee
From:	Bruce Bowes, P.Eng., Chief Corporate Officer
Wards:	Ward 17 – Davenport
Reference Number:	P:\2007\Internal Services\F&re\Gm07095F&re – (AFS 6034)

SUMMARY

The Roseneath Gardens Parkette is a privately held 0.23 ha (0.56 acre) site that is leased by the City for use as a public park (the “Property”). The purpose of this report is to secure Council approval to proceed with the acquisition of the northerly portion of 243 Alberta Avenue currently known as Roseneath Gardens Parkette for continued Parks purposes.

The former Corporation of the City of York entered into a lease for the property (shown on PS Sketch 2007-013, Appendix “A”) on December 31, 1997 and the term of the lease will expire on September 18, 2008. 1239085 Ontario Inc., the current owner (the “Owner”) is considering development opportunities for the property and staff would like to ensure that the property continues to be used for park purposes. Accordingly, the City would like to proceed with the acquisition.

Council approved funding for this acquisition by its adoption, as amended, of Item GM5.21 of the Government Management Committee, at its meeting on June 19, 20 and 22, 2007. By this same authority, Council authorized acceptance of a conditional Offer to Sell the Property for Parks purposes.

RECOMMENDATIONS

The Chief Corporate Officer recommends that:

1. the Chief Corporate Officer be authorized to report directly to City Council at its meeting to be held on October 22 and 23, 2007 with information regarding due diligence matters which are currently being investigated by staff.

Financial Impact

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

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

At its meeting of May 23, 2006, City Council adopted Notice of Motion J(31) Revised regarding the Permanent Acquisition of the Roseneath Gardens Parkette (“Lanford Parkette”, Roseneath Gardens and Glenhurst Avenue) – 243 Alberta Avenue requesting that the General Manager, Parks, Forestry and Recreation report to the Economic Development and Parks Committee on seeking lease renewal or permanent acquisition from the Parks Acquisition funds of the current Roseneath Gardens Parkette, or a possible expansion for parks purposes.

City Council at its meeting of June 19, 20 and 22, 2007, adopted, as amended, Item GM5.21 of the Government Management Committee, authorizing acceptance of a conditional Offer to Sell the Property for Parks purposes. Pursuant to this authority, the Offer to Sell was executed on July 11, 2007 and was conditional for 90 days after acceptance on the satisfactory completion of due diligence investigations. Subsequently, the original due diligence period has been extended, as agreed to by both 1239085 Ontario Inc (the “Vendor”) and the City, in order to allow for the consideration of this report by City Council.

ISSUE BACKGROUND

Staff will complete its due diligence of the Property and report directly to City Council at its meeting to be held on October 22 and 23, 2007.

COMMENTS

Staff is currently negotiating with the owner of the property and is requesting authority to report directly to City Council at its meeting to be held on October 22 and 23, 2007 on the outcome of the negotiations.

CONTACT

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SIGNATURE

Bruce Bowes, P.Eng.
Chief Corporate Officer

ATTACHMENTS

Appendix "A" - Location Map and Sketch