



**STAFF REPORT
ACTION REQUIRED
with Confidential Attachment**

Potential Acquisition of 2427 Lake Shore Boulevard West (Amos Waites Park)

Date:	February 6, 2008
To:	Government Management Committee
From:	Chief Corporate Officer and General Manager, Parks, Forestry & Recreation
Wards:	Ward 6 – Etobicoke – Lakeshore
Reason for Confidential Information:	This report is about a proposed or pending land acquisition by the City.
Reference Number:	P:\2008\Internal Services\F&re\Gm08019F&re – (AFS 7034)

SUMMARY

The purpose of this report is to secure City Council approval to acquire 2427 Lake Shore Boulevard West (the “Property”) that is essential to the overall development of the park.

The property known as 2427 Lake Shore Boulevard West is a privately owned site consisting of approximately 5,617 ft² and is part of a block of properties known as 2423 to 2437 Lake Shore Boulevard West. The former City of Etobicoke acquired 2435-2437 Lakeshore Boulevard West in 1991 for the purposes of expanding Amos Waites Park. A future parkland conveyance to the City of the property known as 2423-2425 Lake Shore Boulevard West is pending through the development planning process. Negotiations with the Owner of 2427 Lake Shore Boulevard West have been on-going since the fall of 2005 and since the death of the owner in September of 2007, with the estate trustee. The estate trustee has signed an irrevocable offer to sell (“Offer to Sell”) the property to the City. Appendix “A” to this report describes the salient terms of this proposed acquisition, which is considered fair and reasonable.

RECOMMENDATIONS

The Chief Corporate Officer and the General Manager of Parks, Forestry and Recreation recommends that:

1. City Council adopt the confidential recommendations to staff in Attachment 1.
2. City Council authorize the public release of the confidential information in Attachment 1 pertaining solely to the purchase price and deposit, upon City Council's adoption of the Recommendations in this report.
3. The 2008 Approved Capital Budget for Parks, Forestry and Recreation be amended by the addition of a project "2427 Lake Shore Boulevard West Acquisition" with funding provided from the City Wide Parkland Acquisition Reserve Fund.
4. The Offer to Sell from the estate trustee of the property known as 2427 Lake Shore Boulevard West be accepted substantially on the terms outlined in Appendix "A" and Confidential Attachment 1 to this report, and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept the Offer on behalf of the City.
5. This report be forwarded to both the Budget Committee and Executive Committee for consideration.
6. The City Solicitor be authorized to complete these transactions on behalf of the City including making payment of any necessary expenses, and amending the closing date and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.
7. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

No provision has been made for this acquisition in the 2008 Approved Capital Budget. Funding is currently available in the Parks, Forestry and Recreation's City Wide Parkland Acquisition Reserve Fund. City Council's approval is required to amend the 2008 Approved Capital Budget by the addition of this acquisition project and appropriate funding.

In addition to the acquisition of the property at 2427 Lake Shore Boulevard West, the Amos Waites Park project anticipates park improvements, including a new playground, bike and pedestrian pathways, seating area and water play area. The entrance to the park will also be expanded by removing the buildings on the abutting lots. The buildings will be removed through the fulfillment of the offsite parkland dedication of a nearby developer who has also agreed to construct the above base park improvements.

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

DECISION HISTORY

The former City of Etobicoke City Council adopted the confidential Clause 176-G-89 of the Eighteenth Report of the General Committee on October 2, 1989 which recommended that staff be authorized to take all action necessary to purchase this block of properties, with financing from the Parks Acquisition Fund. The lands at 2435-2437 Lake Shore Boulevard West were acquired in 1991.

ISSUE BACKGROUND

Amos Waites Park is a waterfront park that has seen significant work along the shoreline through the waterfront trail. The TRCA is currently undertaking construction of the Mimico Waterfront Linear Park Project. This project involves aquatic and terrestrial enhancements incorporated into an engineered shoreline. The shoreline work on the waterfront in front of Amos Waites Park is nearing completion. Amos Waites Park currently has a playground and an outdoor pool. Tentative park improvements include a new playground, bike and pedestrian pathways, seating area and water play area.

A major constraint on the use of the park has been the lack of connection between the park and Lake Shore Boulevard. The entrance to the park is narrow and split up in three locations. The main entrance is beside a portion of the City owned parkland that is used by a Storefront Humber Seniors Group. Most of this area is taken up by a driveway and parking for the Seniors Centre and park users. Expanding the entrance by the removal of the buildings on the abutting lots will increase the size of the entrance by approximately 1.5 times. The buildings will be removed through the fulfillment of the off-site parkland dedication of a nearby developer who has agreed to remove all three buildings (abutting buildings) and construct above base park improvements.

Particularly at night, the area of the park immediately to the rear of the commercial units has been an unsafe location. Without proper sightlines from the street, this area tends to attract illegal activities.

Removal of this commercial strip of buildings will greatly improve access, and improve the surveillance of the park from the street. It should also improve the safety of patrons using this park at all hours of the day.

COMMENTS

When considering a potential acquisition three guiding principles are considered

- Targeting areas that are parkland deficient;
- Purchase of land for community recreation centres, sport and trail facilities; and
- Achievement of city-wide objectives to Our Common Ground.

Amos Waites is an important park with a significant recreation facility, and is part of the waterfront trail, which is an important and emerging City recreational asset.

The City's plan for this land is apparent based on the acquisitions completed thus far. The waterfront trail has City wide importance and significance. It is appropriate that the money to acquire this land be sourced from the City-wide parkland reserve.

Negotiations have resulted in an Offer to Sell as outlined in Appendix A and Confidential Attachment 1 of this report. Staff considers this Offer to Sell to the City to be fair and reasonable and therefore recommend the approval of this transaction.

CONTACT

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SIGNATURE

Bruce Bowes, P.Eng.
Chief Corporate Officer

Brenda Librecz
General Manager, Parks, Forestry &
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ATTACHMENTS

Appendix "A" – Terms and Conditions
Appendix "B" – Location Map and Sketch
Attachment 1 - Confidential Information

Appendix "A"

Terms and Conditions – 2427 Lake Shore Boulevard West

Vendor:	Cristina Harrer, Estate Trustee Estate of Gordana Starcevic
Location:	2427 Lake Shore Boulevard West (as shown on Appendix "B")
Legal Description:	All of PIN 07624-0029 (LT), Parcel 5-1, Section M224 being Part of Lot 5, Plan M-224, Toronto (formerly City of Etobicoke)
Approximate Lot Size:	5,617 ft ²
Improvements:	2-storey building
Irrevocable Date:	May 13, 2008
Due Diligence:	60 days following acceptance by the City of Toronto
Closing Date:	45 days following the expiry of the Due Diligence
Deposit:	\$10.00
Conditions:	City to satisfy itself that the Property is suitable for the City's purposes
Vacant Possession:	Vacant possession on closing