



Decision Letter

Budget Committee

Meeting No.	24	Contact	Kelly McCarthy, Committee Administrator
Meeting Date	Friday, April 27, 2012	Phone	416-397-7796
Start Time	9:30 AM	E-mail	buc@toronto.ca
Location	Committee Room 1, City Hall	Chair	Councillor Mike Del Grande

BU24.5	ACTION	Adopted		Ward:9
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Land Exchange with the Toronto District School Board and Muki Baum Treatment Centre for Lands at 111 Anthony Road (Item GM 12.11)

Committee Decision

The Budget Committee recommends to the Executive Committee that:

1. City Council authorize the City to enter into a transaction with the Toronto District School Board (“TDSB”) and the Muki Baum Treatment Centre (“Muki Baum”) pursuant to which the City will transfer title to the Closed Highway shown as Part 1 on Sketch No. PS-2011-100, attached as Appendix “B” (the “Sketch”); in the report (March 13, 2012) from the Chief Corporate Officer and General Manager, Parks, Forestry and Recreation, confirm its release of any interest that the City may have over Part 2; and make payment in the amount of \$700,000.00 (plus HST if applicable) in exchange for title to the lands shown as Part 3 on the Sketch, substantially on the terms and conditions outlined in Appendix “A” in the report (March 13, 2012) from the Chief Corporate Officer and General Manager, Parks, Forestry and Recreation, and on such other terms as the Chief Corporate Officer and the City Solicitor deem advisable to protect the interests of the City.
2. City Council authorize the City to enter into a shared use arrangement with Muki Baum in relation to the open space portions of the lands approximately shown as Parts 2 and 3 on the Sketch, on the terms and conditions outlined in Appendix “A” in the report (March 13, 2012) from the Chief Corporate Officer and General Manager, Parks, Forestry and Recreation, and such other terms as may be acceptable to the General Manager of Parks, Forestry and Recreation and the City Solicitor.
3. City Council authorize the City acquire a permanent easement over Part 4 as shown on the Sketch, or over an area of equivalent utility, for the purpose of a public walkway and access to the lands that will be acquired by the City.
4. City Council authorize that the 2012 Parks, Forestry and Recreation Capital Budget be amended by the addition of a new project “Purchase of Open Space at 111 Anthony Road” in the amount of \$700,000.00, with funding from North York Local Reserve Fund (XR-2206).

5. City Council authorize the City Solicitor to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions, on such terms as she considers reasonable.

Origin

(March 28, 2012) Letter from the Government Management Committee

Summary

The purpose of this report is to seek authority to enter into an agreement to exchange lands owned by the City for lands currently owned by the Toronto District School Board for the purpose of making a park available for the local community in an area that lacks green and open space.

The terms for completing the transaction, as set out in this report, are considered to be fair, reasonable and reflective of market value.

Financial Impact

Funding for \$700,000.00 of the property acquisition is available in the North York Local Reserve Fund (XR2206). An assessment will be made on the impact of maintaining the park and will be included for consideration in the Parks, Forestry and Recreation 2013 Operating Budget submission. There is an option in favour of Muki Baum to enter into a shared use agreement with the City that would permit Muki Baum use of the City-owned lands for the purpose of constructing, managing and operating landscaped green space, including the installation of a sensory garden. If Muki Baum exercises its option to these lands, then they will be responsible for the operating costs to maintain this park instead of Parks, Forestry and Recreation.

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

Background Information

(March 28, 2012) Letter from the Government Management Committee on the Land Exchange with the Toronto District School Board and Muki Baum Treatment Centre for Lands at 111 Anthony Road

<http://www.toronto.ca/legdocs/mmis/2012/bu/bgrd/backgroundfile-46516.pdf>

(March 13, 2012) Report from the Chief Corporate Officer and General Manager of Parks, Forestry and Recreation on the Land Exchange with the Toronto District School Board and Muki Baum Treatment Centre for Lands at 111 Anthony Road

<http://www.toronto.ca/legdocs/mmis/2012/bu/bgrd/backgroundfile-46517.pdf>

(March 13, 2012) Appendix A - Terms and Conditions of Agreement of Purchase and Sale

<http://www.toronto.ca/legdocs/mmis/2012/bu/bgrd/backgroundfile-46518.pdf>

(March 13, 2012) Appendix B - Map and Sketch of 111 Anthony Road

<http://www.toronto.ca/legdocs/mmis/2012/bu/bgrd/backgroundfile-46519.pdf>