TORONTO

STAFF REPORT
ACTION REQUIRED

Acquisition of South-West Corner of 1100 Briar Hill Avenue for Parkland

Date:	February 4, 2013
To:	Government Management Committee
From:	Chief Corporate Officer and General Manager, Parks, Forestry & Recreation
Wards:	**15 – Eglinton-Lawrence**
Reference Number:	P:\2013\Internal Services\RE\Gm13007re – (AFS #17116)

SUMMARY

The purpose of this report is to obtain authority to acquire the south-west corner of 1100 Briar Hill Avenue, consisting approximately 0.37 acres, (the "Property") from the Toronto Lands Corporation ("TLC") for parkland purposes.

RECOMMENDATIONS

It is recommended that:

1. City Council grant authority to negotiate acquisition of the Property with the Toronto District School Board ("TDSB") at a purchase price of $1,104,560.00, plus applicable taxes registration fees and environmental assessments, estimated at $57,500.00, substantially on the terms outlined in Appendix "A" to this report and on such other terms and conditions as may be acceptable to the Chief Corporate Officer and the Director of Real Estate Services and in a form satisfactory to the City Solicitor.

2. City Council amend the 2013 Capital Budget of Parks, Forestry and Recreation by the addition of a project "1100 Briar Hill Avenue Parkland Acquisition" for $1,162,060.00 with funding provided from the Parkland Acquisition – North District Local Parkland Reserve Fund (XR-2206).

3. City Council authorize severally each of the Chief Corporate Officer and the Director of Real Estate Services to execute the Offer to Sell on behalf of the City.

4. City Council authorize the City Solicitor to complete the transaction contemplated in the Offer to Sell 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.

5. City Council authorize the appropriate City officials be directed to take the necessary action to give effect thereto.

6. This report be forwarded to the Budget Committee and Executive Committee for consideration of the recommended amendment to the Council approved 2013 Parks, Forestry and Recreation Capital Budget and its funding source.

Financial Impact

This report seeks Council approval to amend the 2013 Parks, Forestry and Recreation Capital Budget to create a new capital project called "1100 Briar Hill Avenue Parkland Acquisition" for a total estimated cost of $1,162,060.00, which includes the purchase price of $1,104,560.00, Land Transfer Tax of $15,043.46, HST of $2,527.23 (non-refundable), registration costs of approximately $100.00, environmental assessment costs of $19,822.00 and site preparation costs of $20,000.00. The acquisition of this land is to be financed by the Parkland Acquisition – North District Local Parkland reserve fund (XR2206).

The Phase I and II environmental Assessment study will be carried out to determine if the property requires remediation to meet residential/parkland standards. The subject property is already fenced and functioning as a park with two swing sets and 5 park benches. The existing playground equipment on the subject property does not meet City standards and must be removed. In order to prepare the site, the existing playground equipment, benches, surrounding timbers, surfaces must be removed. Additional funding of approximately $150,000 will be required in the future to add a play structure and will be requested in a future year capital budget.

The operating maintenance cost of the park is estimated at $9,100 per year. If this property is approved for acquisition, the transaction is expected to close by the end of June 2013. The ongoing maintenance cost for the remainder of the year can be accommodated within the 2013 Parks, Forestry and Recreation Base Operating Budget. The operating impact for this newly acquired park property would be added to the 2014 Base Operating Budget when full maintenance services would start.

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

DECISION HISTORY

The subject property is owned by the Toronto District School Board (TDSB) and was declared surplus to their needs pursuant to the provisions of *Ontario Regulation 444/98* made under the *Education Act*, *R.S.O. 1990* at its meeting of April 11, 2012. Pursuant to *Ontario Regulation 444/98* any offers to purchase the above noted property needed to be received by the TDSB by July 17, 2012.

The Toronto Land Corporation (TLC), which is the real estate arm of the TDSB, was advised in writing on July 17, 2012 that the City has interest in the above noted property and would like to discuss the matter further with TLC staff.

ISSUE BACKGROUND

1100 Briar Hill Avenue is a former school site and is situated at the north-east corner of Dufferin Street and Briar Hill Avenue. It consists of approximately 2.4 acres.

TDSB, at its meeting of April 11, 2012, declared the Briar Hill Junior PS site surplus to its needs and referred to the TLC for disposition. TLC circulated its Proposal to the City for possible interest.

A portion of the property is utilized by the local community as their local park space. In particular, the south west corner of the site contains a fenced in playground area. Also of interest are a stand of several mature trees within and just outside of the playground area. This area of the city has low levels of parkland provision.

Parks, Forestry and Recreation focused its efforts on acquiring the playground area and protecting the mature trees located at the south west corner of the property, as it had no program use for the existing school building on site.

COMMENTS

Acquisition of the south west portion of the subject property located at 1100 Briar Hill Avenue is desirable for park purposes, as the surrounding community has a lower level of parkland provision. Additionally, the portion of the property which is being acquired has always functioned as the open space component of the former school site and been perceived as such by the local community.

There are several factors that make this site a priority acquisition for Parks, Forestry and Recreation. The area is currently underserved by existing parkland, having the lowest of five levels of parkland provision. Due to limited funding, Parks, Forestry and Recreation must focus its acquisition efforts on sites located within areas which have lower levels of parkland provision.

This site has excellent frontage on Dufferin Street, is highly visible and accessible to the public. The local community has enjoyed the use of this school yard for over 50 years and the loss of this open space would impact the provision of parkland in this area.

The acquisition of a portion of this site will not markedly increase the parkland provision level in this area, but it will preserve a well used community asset from redevelopment. In addition, several mature trees will be included within the subject lands and protected against development. This section of Dufferin Street is generally lacking in tree canopy.

Only minor capital improvements would be required in order to make this site a useable local park. The park could be available for use by the public soon after the transaction is completed. This opportunity represents good value for the City's parkland acquisition dollars and it is rare that a property of this size would be available for purchase in this area.

Staff considers this Offer to Sell to the City to be fair and reasonable and therefore, recommends the approval of this transaction.

CONTACT

Joe Casali, Director of Real Estate Services; Tel.: (416)-392-7202; Fax (416) 392-1880;
E-Mail: jcasali@toronto.ca

Anne Marra, Director, Parks Development and Infrastructure Management, Parks, Forestry & Recreation; Tel.: (416) 394-5723; Fax (416) 394-8935;
E-Mail: ammara@toronto.ca

SIGNATURE

_____	_____
Josie Scioli, Chief Corporate Officer	Jim Hart, General Manager, Parks, Forestry & Recreation

ATTACHMENTS

Appendix "A" – Terms and Conditions
Appendix "B" – Location Map
Appendix "B1" – Aerial Location Map