
City Council

Motion without Notice

MM9.7	ACTION			Ward: 23
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Request to Expropriate 111 and 113 Finch Avenue West for the expansion of Edithvale Park and 46 Parkview Avenue for the expansion of McKenzie Parkette - by Councillor John Filion, seconded by Councillor Joe Mihevc

- * Notice of this Motion has not been given. A two-thirds vote is required to waive notice.*
- * This Motion is subject to referral to the Government Management Committee. A two-thirds vote is required to waive referral.*
- * This Motion has been deemed urgent.*

Recommendations

Councillor John Filion, seconded by Councillor Joe Mihevc, recommends that:

1. City Council adopt the recommendations contained in the report (June 10, 2011) from the Chief Corporate Officer.

Summary

At its meeting of August 25, 26 and 27, 2010, City Council authorized City staff to initiate the expropriation process to acquire parkland properties in the North York City Centre subject to the developer, Emerald Developments, executing a Section 37 Agreement (prior to it proceeding with its development of the City block bounded by Yonge Street, Poyntz Avenue, Beecroft Road and Bogart Avenue). The developer was to provide the City with an irrevocable letter of credit in the amount of \$3.8 million to fund the acquisition or expropriation of parkland properties if the developer was unable to acquire the required parkland properties through negotiation. The developer was unsuccessful in its negotiations to acquire the parkland properties, and has now provided the City with a certified cheque in the amount \$3.8 million as per the terms of the executed Section 37 Agreement.

At the time the request to initiate the expropriation process to acquire parkland properties in the North York City Centre was before Council, the developer, Emerald Developments, was still independently negotiating with various property owners to acquire those properties in fulfillment of their parkland dedication. As such, the subject municipal addresses of the intended properties were not identified to Council at that time. Parks, Forestry and Recreation have identified the following three properties as being desirable to acquire for parkland purposes in the North York City Centre: 111 Finch Avenue West, 113 Avenue West and 46 Parkview Avenue.

This report seeks authority to commence expropriation proceedings for 111 and 113 Finch Avenue West required for the expansion of Edithvale Park and for 46 Parkview Avenue for the expansion of McKenzie Parkette.

This matter is urgent and if this report does not go to this Council meeting, it will delay the expropriation of these properties and the City will not be able to take possession until 2012. Failure to secure the lands at this time will result in increased costs to City to do so.

(Submitted to City Council on June 14 and 15, 2011 as MM9.7)