



**STAFF REPORT
ACTION REQUIRED
with Confidential Attachment**

Initiate the Expropriation of 223 Gladys Allison Place

Date:	August 20, 2014
To:	City Council
From:	Deputy City Manager and Chief Financial Officer
Wards:	Ward 23 – Willowdale
Reason for Confidential Information:	This report is about a proposed or pending land acquisition by the City or one of its agencies, boards, and commissions.
Reference Number:	P:\2014\Internal Services\RE\Cc14034re (AFS#20207)

SUMMARY

The purpose of this report is to seek authority to initiate expropriation proceedings to acquire the property municipally known as 223 Gladys Allison Place. This property is required for the proposed expansion of Willowdale Linear Park.

RECOMMENDATIONS

The Deputy City Manager and Chief Financial Officer recommends that:

1. City Council grant authority to initiate the expropriation process to acquire the property interests listed in Appendix "A" as shown on the sketches attached as Appendix "B" (the "Lands").

2. City Council grant authority to serve and publish Notices of Application for Approval to Expropriate the Lands, to forward to the Chief Inquiry Officer any requests for hearing that are received, to attend the hearing to present the City's position, and to report the Inquiry Officer's recommendations to Council for its consideration.
3. City Council amend the 2014 Approved Capital Budget and 2015-2023 Capital Plan for the Parks, Forestry and Recreation Division by creating a new capital account titled "223 Gladys Allison Place" with a budget adjustment of the amounts detailed in the Confidential Attachment 1, funded by the following reserve accounts: XR2213, XR2214, XR2216 and XR3026.
4. City Council authorize the public release of the confidential information in Confidential Attachment 1 once all properties required to complete the Willowdale Linear Park, including the Lands, have been acquired and arbitrations, appeals or settlements under the Expropriation Act have been determined, to the satisfaction of the City Solicitor.

Financial Impact

There is no financial impact related to the initiation of the expropriation process for 223 Gladys Allison Place.

The Real Estate Services Division will seek additional authority in the future to proceed with the expropriation process, as per the Expropriations Act (R.S.O. 1990), if the current negotiations with the property owner to acquire the Lands prove to be unsuccessful.

Should ongoing negotiations with the property owner to acquire the Lands prove to be successful, the pending agreement would result in anticipated expenditures including the purchase price of the Lands, Provincial land transfer taxes and other taxes, Environmental Site Assessments, due diligence, registration and legal costs. The detailed amount of funding required will form part of a subsequent report to Committee and Council, or by Delegated Approval Form, as appropriate, seeking approval for the acquisition of the Lands.

In anticipation of the future acquisition of the property, funding has been identified in multiple existing reserve accounts including XR2213, XR2214, XR2216 and XR3026.

The approval of this report will result in the budget adjustment of the 2014 Approved Capital Budget and 2015 – 2023 Capital Plan for the Parks, Forestry and Recreation Division with funding amounts provided by the reserve accounts as detailed in the Confidential Attachment 1. This budget adjustment will have zero debt impact.

The operating impact of the Lands is not known at this time however, the Parks, Forestry and Recreation Division has sufficient funding to operate and maintain the Lands for the foreseeable future. The operating impact of the Lands will be added to the 2016 Parks, Forestry and Recreation Base Operating Budget submission for consideration through the annual budget process.

ISSUE BACKGROUND

The Parks, Forestry and Recreation Division has identified 223 Gladys Allison Place as a desirable property to acquire for parkland purposes in the North York District. The Lands were identified in the Parkland Acquisition Strategy: North York City Centre (1998) for future expansion of Willowdale Linear Park (proposed Lee Lifeson Art Park). Other properties surrounding the Lands have been (or will be in the near future) conveyed to the City of Toronto as parkland dedication from nearby developments. The subject property is one of a couple remaining non-municipally owned properties in the area that are required to complete the proposed expansion/development of Willowdale Linear Park. It is virtually surrounded by other recently acquired City-owned properties that would be included in the future park expansion/development.

Negotiations have been ongoing between the City and the Owner of the Lands with respect to the proposed municipal acquisition of the property. At this time, it is considered appropriate to authorize staff to initiate the expropriation process to acquire the Lands. Staff will continue to communicate with the Owner in an effort to achieve a negotiated settlement.

COMMENTS

The acquisition of the subject property is vital given its strategic location in relation to the proposed park expansion/development. Its acquisition will enable staff to utilize a more preferred expansion development for the park and provide more open space to residents in this park deficient neighbourhood.

It is recommended that staff receive the appropriate authority to initiate the expropriation process to acquire the Lands. Simultaneously, staff will continue to negotiate with the Owner of the Lands for its acquisition to avoid the expropriation process, if possible.

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SIGNATURE

Roberto Rossini
Deputy City Manager and Chief Financial Officer

ATTACHMENTS

Appendix "A" – Property Description
Appendix "B" – Location Map

Confidential Attachment 1 – Budget Summary

Appendix "A" – Property Description

WARD 23 – WILLOWDALE		
PROPERTY ADDRESS	LEGAL DESCRIPTION	PROPERTY REQUIREMENTS (Fee Simple)
223 Gladys Allison Place	Pt Lt 246-248, Plan 1609 Township of York as in TB68284 Toronto (North York), City of Toronto	All right, title and interest in the entire property, approximately 880 m ² (9,470 ft ²) of land, as shown on Appendix "B"

Appendix "B" – Location Map

