

City Council**Motion without Notice**

MM31.41	ACTION			Ward: 18
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Expropriation of 37 Norton Avenue for the Expansion of John McKenzie Parkette - by Councillor John Filion, seconded by Councillor Shelley Carroll

** 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 General Government and Licensing Committee. A two-thirds vote is required to waive referral.
* This Motion has been deemed urgent by the Chair.*

Confidential Attachment - A proposed or pending acquisition or sale of land for municipal or local board purposes

Recommendations

Councillor John Filion, seconded by Councillor Shelley Carroll, recommends that:

1. City Council adopt the following recommendations in the report (March 30, 2021) from the Executive Director, Corporate Real Estate Management:

1. City Council authorize the Executive Director, Corporate Real Estate Management to initiate the expropriation process for the property municipally known as 37 Norton Avenue, depicted in Appendix A, to expand the John McKenzie Parkette.
2. City Council authorize the Executive Director, Corporate Real Estate Management, or their designate, to serve and publish Notices of Application for Approval to Expropriate the Property, to forward any requests for a hearing of necessity to the Chief Inquiry Officer, to attend the hearing to present the City of Toronto's position, and to report the Inquiry Officer's recommendations to City Council for its consideration.
3. City Council amend the Approved 2021 Parks, Forestry and Recreation Capital Budget and 2022-2030 Capital Plan to create a new capital sub-project called "37 Norton Avenue Expropriation" in the Parkland Acquisition project to be fully funded by Section 37 community benefits (XR3026) and Section 42 Above 5 percent Cash-in-lieu (XR2213) as outlined in Confidential Attachment 1 to the report from the Executive Director, Corporate Real Estate Management, including all fees and disbursements, for the purposes of acquiring the property at 37 Norton Avenue to facilitate the expansion of the John McKenzie Parkette.

4. City Council authorize the public release of Confidential Attachment 1 once there has been a final determination of all claims and compensation payable for 37 Norton Avenue by arbitration, appeal or settlement, or otherwise to the satisfaction of the City Solicitor.

Summary

The area surrounding John McKenzie Parkette has a parkland provision level within the second lowest category of 4-12 square metres/person, below the City average of 28 square metres/person. The area is also designated as an area of parkland need within the Parkland Strategy. This takes into account not only low parkland provision in the area, but also the high growth and the higher percentage of low-income households in the area. 37 Norton Avenue has been identified as an opportunity to increase parkland in the area through expansion of the existing park. The additional 876 square metres would provide additional parkland to an area of need, and regularize the shape of the park to increase programming potential.

To facilitate the expansion of the John McKenzie Parkette, City Council authority is urgently required to commence expropriation proceedings to acquire the adjacent property municipally known as 37 Norton Avenue, North York, Ontario (the "Property"). Corporate Real Estate Management staff have been in negotiations with the owner of the Property since July 2020, however a negotiated agreement has not yet been reached. To preserve the timelines of expanding the John McKenzie Parkette, it is appropriate to request authorization to commence expropriation proceedings at this time.

Background Information (City Council)

Member Motion MM31.41

(March 30, 2021) Report from the Executive Director, Corporate Real Estate Management on Expropriation of 37 Norton Avenue for the Expansion of John McKenzie Parkette

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-165596.pdf>)

Confidential Attachment 1