

Expropriation of 37 Norton Avenue for the Expansion of John McKenzie Parkette

Date: March 30, 2021

To: City Council

From: Executive Director, Corporate Real Estate Management

Wards: Ward 18 – Willowdale

REASON FOR CONFIDENTIAL INFORMATION

This report deals with a proposed or pending acquisition or disposition of land by the City of Toronto (the "City").

SUMMARY

The area surrounding the John McKenzie Parkette is designated as an area of parkland need within the Parkland Strategy, taking into account not only low parkland provision, but also high growth and a higher percentage of low-income households in the area. The adjacent property, municipally known as 37 Norton Avenue, has been identified as an opportunity to increase parkland in the area through the expansion of the John McKenzie Parkette.

The purpose of this report is to seek authority from City Council to commence expropriation proceedings to acquire the property municipally known as 37 Norton Avenue as shown on Appendix A to this report (the "Property"), to facilitate the expansion of the John McKenzie Parkette. City staff have been engaged in discussions with the owner of the Property, but have not yet reached a negotiated agreement.

This is the first stage of the expropriation process. After initiation of expropriation of the Property is authorized by City Council, staff will serve and publish a Notice of Application for Approval to Expropriate on each registered owner of the Property. Owners, as defined in the Act, will have 30 days to request an inquiry into whether the City's proposed taking is fair, sound and reasonably necessary.

RECOMMENDATIONS

The Executive Director, Corporate Real Estate Management recommends that:

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.

FINANCIAL IMPACT

Confidential Attachment 1 to this report identifies the total estimated cost for the expropriation of the Property and the subsequent conversion of the Property to a parkette.

Should City Council authorize staff to proceed with the expropriation of the Property, the Council Approved Parks, Forestry and Recreation 2021 Capital Budget and 2022-2030 Capital Plan will be amended to create a new capital project account to fund the expropriation and related closing costs. The project will be fully funded by Section 37 community benefits (XR3026) and Section 42 Above 5 percent Cash-in-lieu (XR2213) obtained from local developments for the purposes of acquiring the Property to facilitate the expansion of the John McKenzie Parkette, as outlined in Confidential Attachment 1. Both Section 37 and Section 42 Above 5 percent Cash-in-lieu funds have been received and are eligible for these purposes.

Additional funding for the development of the Property and associated operating impacts will be submitted for consideration through future Budget processes.

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

DECISION HISTORY

At its meeting on November 26 and 27, 2019, City Council adopted Item EX10.3, Parkland Strategy, with amendments, to guide long-term planning for new parks and expansion and improved access to existing parks. The area surrounding the John McKenzie Parkette was identified through the Parkland Strategy as an area of parkland need.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EX10.3>

COMMENTS

The area surrounding the 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 an area of parkland need within the Parkland Strategy. This takes into account not only low parkland provision in the area, but also high growth and a higher percentage of low-income households in the area. The Property has been identified as an opportunity to increase parkland in the area through expansion of the existing park. The additional 876 square meters would provide additional parkland to an area of need, and regularize the shape of the park to increase programming potential.

The expanded parkette will be located 550 meters from North York Centre subway station and is immediately adjacent to the North York Centre secondary plan area in the Official Plan. The secondary plan policies emphasize the need for additional parkland to serve the residential and employment growth planned for the area.

The existing parkland network contains a number of parks and amenities within a 500 meter walk providing civic and community, passive and ecological and sport and play functions. This includes smaller passive parkettes along Doris Avenue, Mitchell Field Park containing a community Centre, Northtown Park, Willowdale Park and Trail, Princess Park and Lee Lifeson Art Park containing an amphitheatre and public art. Two playgrounds are located 300 and 400 metres away.

The table below summarizes the demographic profile of the area. There is a higher percentage of youth, lower percentage of children and similar percentage of seniors to the City as a whole. The area has a higher percentage of low-income households and visible minorities, but a lower percentage of individuals that identify as black or indigenous. The neighbourhood (East Willowdale) further has a much higher percentage (77.2 percent) of people living in five plus (5+) storey apartments than the City as a whole (44.3 percent), emphasizing the need for public open space.

Population	Census Tract (percent)	Toronto (percent)
Children (0-12)	11.0	14.6
Youth (13-24)	17.56	12.5
Seniors (65+)	14.64	15.6
Low Income (LIM-AT)	27.8	20.2
Recent Immigrants	11.75	7.0
Visible Minorities	73.35	51.5
Black	1.74	8.78
Aboriginal Identity	0.32	0.9

The increased size and regular shape of the park would expand the potential design options for the park, which would be determined through public consultation. The 20 Year Facilities Master Plan recommends a skateboard spot and a basketball court for Ward 18 - Willowdale, which would be assessed for their appropriateness at this location. A new playground, dog off-leash area, or expanded community garden are also amenities that may be suitable for the expanded park. The park programming opportunities for the expansion would be informed through a community consultation process, considering local input and priorities.

Corporate Real Estate Management staff have been engaged in discussions with the owner to acquire the Property through a negotiated agreement. As ongoing negotiations have not resulted in the acquisition of the Property, expropriation may be required. It is therefore recommended that City Council grant authority to initiate the expropriation process to acquire the Property to facilitate the expansion of the John McKenzie Parkette and meet the parkland needs of the area.

CONTACT

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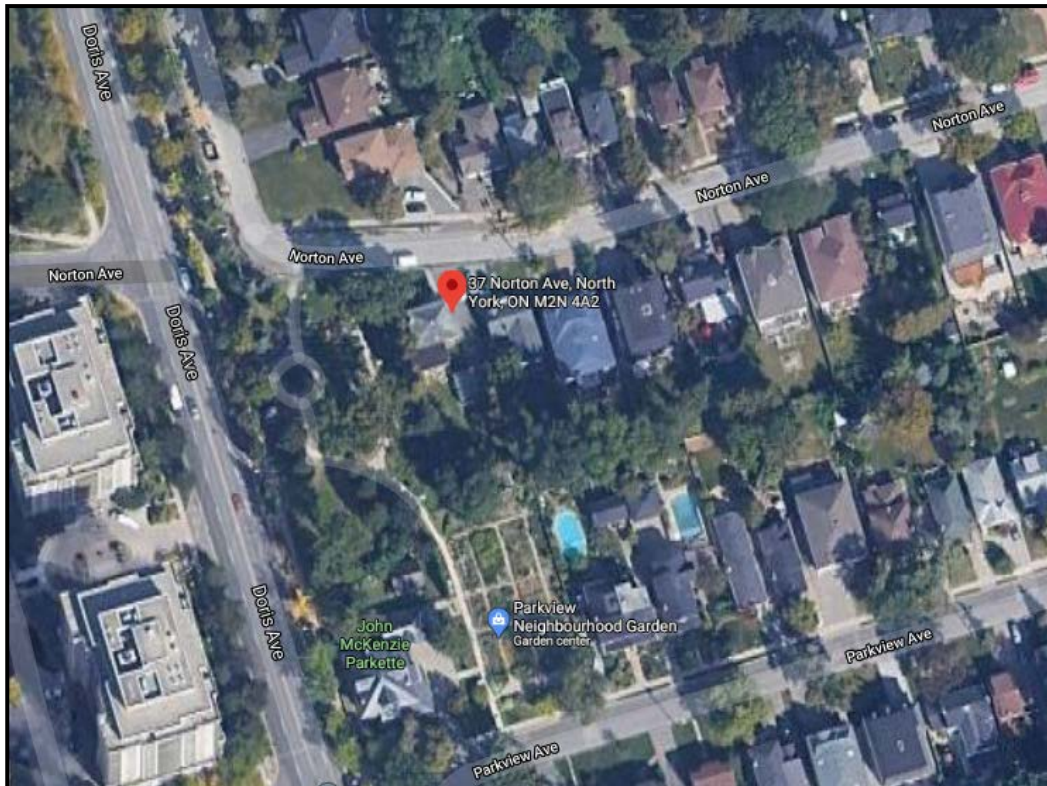
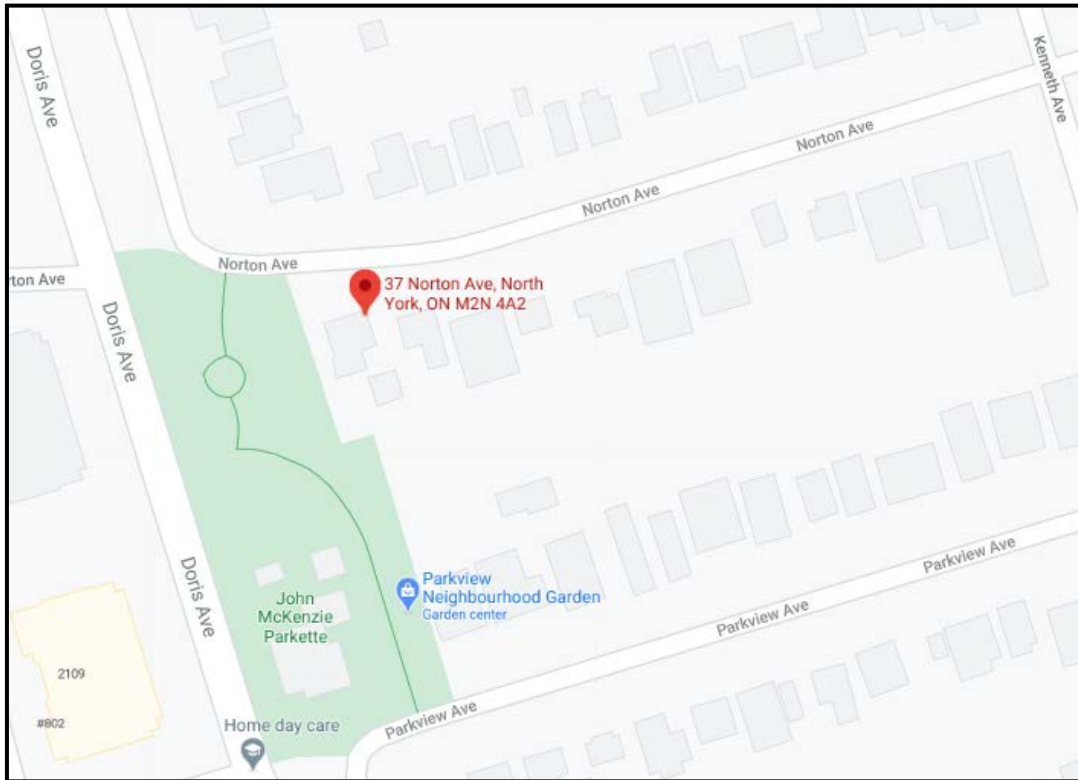
SIGNATURE

Patrick Matozzo
Executive Director, Corporate Real Estate Management

ATTACHMENTS

Appendix A - 37 Norton Avenue Maps
Confidential Attachment 1 - Estimated Expropriation Costs

APPENDIX A - 37 NORTON AVENUE MAPS



APPENDIX A CONTINUED - 37 NORTON AVENUE MAPS

