

## Item 9.2.

### Section III – Items for the Information of the Board

**TO:** Chair and Members of the Board of Directors  
Meeting #5/19, Friday, May 24, 2019

**FROM:** Michael Tolensky, Chief Financial and Operating Officer

**RE:** **TORONTO AND REGION CONSERVATION AUTHORITY OWNED LAND**  
4156 Dundas Street West, Etobicoke, City of Toronto, Humber River Watershed  
CFN 45819

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#### KEY ISSUE

Status of Toronto and Region Conservation Authority-Owned land located west of Scarlett Road and east of Royal York Road, municipally known as 4156 Dundas Street West, Etobicoke, in the City of Toronto, Humber River watershed.

#### RECOMMENDATION

**THAT the staff report regarding the status of Toronto and Region Conservation Authority-Owned land located west of Scarlett Road and east of Royal York Road, municipally known as 4156 Dundas Street West, Etobicoke, in the City of Toronto, be received.**

#### BACKGROUND

In November 2010 and March 2011, TRCA was approached by David Rembacz, on behalf of Maria Rembacz, expressing an interest in purchasing a parcel of TRCA-owned land located west of Scarlett Road and east of Royal York Road, municipally known as 4156 Dundas Street West, Etobicoke, in the City of Toronto. Maria Rembacz is the current owner of the adjoining property at 4158 Dundas Street West. The land was conveyed by the Municipality of Metropolitan Toronto to TRCA in April, 1967.

At Executive Committee Meeting #5/11, held on June 10, 2011, Resolution #B96/11 was adopted as follows:

*THAT the request for disposal of a parcel of land located on the north side of Dundas Street West, east of Prince Edward Drive (vacant land between 4154 and 4158 Dundas Street West), City of Toronto (Etobicoke York Community Council Area) be referred to Toronto and Region Conservation Authority (TRCA) staff for review and discussion in accordance with established TRCA policies;*

*AND FURTHER THAT a report be brought to the Executive Committee at a future date recommending further action.*

This request was circulated to staff at TRCA and the City of Toronto for review and comment. TRCA also met with the public to obtain comments on the potential sale of the land via a Public Information Session held in early 2017.

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At the Authority Meeting #10/17, held on January 5, 2018, Resolution #A236/17 was adopted as follows:

*THAT Toronto and Region Conservation Authority-owned (TRCA) land at 4156 Dundas Street West, Etobicoke, in the City of Toronto, be retained in TRCA ownership at this time;*

*THAT TRCA staff work with City of Toronto staff and the adjacent landowners to assess the suitability of the subject TRCA land for use as parkland as part of the Dundas Street West Avenue Study and as part of any future redevelopment of surrounding area;*

*AND FURTHER THAT staff report back to a future Executive Committee meeting on the results of the discussions with City of Toronto staff.*

The Land is a narrow rectangular parcel with an approximate 12m road frontage to Dundas Street West and is approximately 55m in length.

The Land is currently used as a driveway and parking lot for the adjacent commercial business. A portion of the Land has been developed as a “parkette” with benches and inground water features installed by the owner of the adjoining commercial business to the east “Water Arts”.

The Land is burdened by an existing right of way benefiting the western adjoining landowner and an existing sanitary easement to the City of Toronto.

In correspondence to TRCA in April 2018, David Rembacz, on behalf of his mother, Maria Rembacz requested TRCA reconsider its decision not to dispose of the site. Mr. Rembacz initiated the original request in 2011 and has been interested in purchasing the site for quite some time, as expressed to TRCA during his delegation before the Authority meeting on January 5, 2018.

Mr. Rembacz has indicated that while his preference is to purchase the entirety of the site, in the alternative and considering the current resolution, he would be willing to purchase that part of the site burdened by the mutual right of way. Mr. Rembacz has indicated the motivation for purchase of the mutual right of way would be to ensure proper maintenance of it. In addition, purchase of this part of the site would not prevent the site from continuing to function as a park/open space area and is consistent with TRCA’s objectives for the long-term protection of the natural features.

TRCA staff advised Mr. Rembacz on several occasions that all of the site is to be retained in TRCA ownership at this time and that TRCA staff was presently coordinating with various City of Toronto staff to discuss the potential use of the site continuing as parkland.

Mr. Rembacz contacted TRCA staff in March 2019 again re-iterating his interest in purchasing the mutual right of way and has requested that Resolution #A236/17 be reopened.

TRCA has met with City staff comprising Community Planning, Parks Development and Design and Parks Etobicoke York District following receipt of the comments regarding current open space and parkland strategy and the strategic opportunities and suitability for this parcel remaining as a parkette as part of any future redevelopment of this area.

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Community Planning, Etobicoke York District provided the following comments:

... as per the Site and Area Specific Policy 277 of the OP and as per the Councillor's desire, providing recreational opportunities and access/linkages to the Humber River are identified. However, given the steepness of the land on the site and resulting safety concerns, that does not seem like a viable option for this site. The size of the lot, shape of the lot, and sewer easement also create some constraints to development of the site by itself.

If the land was sold and an application came forward to develop the site (depending on the type of proposal), the below would generally apply to the site and would be generally considered by Planning staff:

Parks, Forestry and Recreation Development & Design indicated that:

As applications come forward, PFR reviews the opportunities to create a connection from Dundas St West into the valley, however, given constraints that include but not limited to the topography from the rear of the properties into the valley and the fact that the majority of the applications are on small lots, therefore minimal Parkland dedication requirements do not allow for a significant size plot of land that would sustain an AODA approved and TRCA approved connection.

PFR has discussed the possibility of taking "ownership" of this land. They have concluded that the opportunity of taking over the strip of land to create a connection to the valley is not viable, given the topography would not allow for a connection.

Operational staff at Parks Etobicoke York District, concurred with their colleagues in Community Planning and Parks Planning regarding potential use of the site as parkland given the various topography issues.

City Parks staff also encouraged TRCA to contact Municipal Licensing & Standards for any encroachment and maintenance issues.

Attachment 1 is a sketch illustrating the location of the subject lands. Attachment 2 is an orthophoto illustrating the location of the subject lands.

### **DETAILS OF WORK TO BE DONE**

TRCA staff are in the process of meeting with the adjoining landowners on the eastern boundary, James Thompson (the owner of "Water Arts") and Pamela DiFilippo. Mr. Thompson appeared before the Executive Committee meeting on 15 December 2017 and did indicate a preference for the site to remain as a parkette.

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**Date: April 4, 2019**  
**Attachments: 2**

Attachment 1: Site Plan

Attachment 2: Site Plan - Aerial