

Section I – Items for Board of Directors Action

TO: Chair and Members of the Executive Committee
Meeting #5/20, Friday, June 12, 2020

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: **SOUTH MIMICO CREEK TRAIL – CITY OF TORONTO – CONSENT TO ENTER INTO ENCROACHMENT AND MAINTENANCE AGREEMENTS**
Receipt of a request from the City of Toronto for consent to enter into an encroachment and maintenance agreement on TRCA-owned lands (CFN 63123)

KEY ISSUE

Receipt of a request from the City of Toronto (City) for consent of Toronto and Region Conservation Authority (TRCA) to allow for the City to negotiate an encroachment and enter into a maintenance agreement with three condominium corporations to address trail connections from adjacent condominium buildings to the South Mimico Creek Trail.

RECOMMENDATION

THE EXECUTIVE COMMITTEE RECOMMENDS THAT WHEREAS TRCA is the owner of Part of Lot 7 Registered Plan 83 Designated as Parts 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 on Plan 66R-27521;

AND WHEREAS the subject lands have been previously turned over to the City of Toronto for management purposes, in accordance with the terms of an agreement dated June 14, 1961;

THEREFORE, LET IT BE RESOLVED THAT TRCA consent to the City of Toronto entering into encroachment and maintenance agreements with condominium corporations TSCC 2490, TSCC 2443 and TSCC 2671 (“Condominiums”);

AND FURTHER THAT the authorized TRCA officials be directed to take the necessary action to finalize the transaction including obtaining any necessary approvals and signing and execution of documents.

BACKGROUND

TRCA acquired two parcels in 2015 and 2016 as conditions of site plan approval resulting from the construction of three condominium buildings in the vicinity of Lakeshore Boulevard West and Park Lawn Road (2212 Lake Shore Boulevard West, 2220 Lake Shore Boulevard West and 10 Park Lawn Road). The South Mimico Creek Trail is located on TRCA lands south of the said three condominium buildings and the City manages the South Mimico Trail on behalf of TRCA. Historically, the condominiums had trail connections linking the condominium buildings to the South Mimico Trail. The trail connections consist of approximately fourteen (14) paved paths from the townhouse entrances to the trail.

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

Item 7.8

RATIONALE

City staff notified TRCA staff of the existence of the linkages and have requested that TRCA consent to the City negotiating with the Condominiums for permanent encroachment agreements for all instances of linkages as well as establishing a maintenance agreement with the three condominium corporations for the area between the public part of the trail path and the entrances to the townhouses. Additionally, TRCA providing consent to the City to enter into the maintenance and encroachment agreements would support Toronto by providing local recreational opportunities.

Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan

This report supports the following strategy set forth in the TRCA 2013-2022 Strategic Plan:
Strategy 4 – Create complete communities that integrate nature and the built environment

FINANCIAL DETAILS

In accordance with the terms and conditions of the management agreement, no revenue or expenses will be incurred in this instance by TRCA. The City of Toronto staff has advised that this proposal is satisfactory to the City.

DETAILS OF WORK TO BE DONE

TRCA will enter into encroachment agreements with the Condominiums, as negotiated by the City of Toronto. TRCA consents to the City of Toronto to enter into maintenance agreements with the Condominiums for the maintenance of said encroachment.

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Date: May 12, 2020

Attachments: 2

Attachment 1: Site Plan

Attachment 2: Orthophoto