



STAFF REPORT ACTION REQUIRED

951-971 Bay St. and 501-521 Yonge St. – Applying the Parks and Recreation Component of the Development Charges to an Off-site Parkland Dedication

Date:	June 16, 2014
To:	Executive Committee
From:	Acting General Manager, Parks, Forestry and Recreation
Wards:	Ward 27 – Toronto Centre - Rosedale
Reference Number:	P:\2014\Cluster A\PFR\EX43-070214-AFS#19896

SUMMARY

City Planning is scheduling a Final Report for a proposed rezoning at 5 to 25 Wellesley Street West and 14 to 26 Breadalbane Street (one site, referred to in this report as the Wellesley Street site) to the August 12, 2014 meeting of the Toronto and East York Community Council. As part of the development application, the owner has proposed part of the site for parkland to fulfill their parkland dedication requirements. The owner of this site also controls two other sites in the immediate area that have been subject to recent development approvals at 951-971 Bay Street (Bay Street site) and 501-521 Yonge Street (Yonge Street site). The owner is proposing that the parkland dedication requirements for those sites be fulfilled on the Wellesley Street site.

The development application on the Bay Street site is on track to obtain its Superstructure Permit in the next few weeks. As the owner has agreed to construct the above base park improvements at the Wellesley Street site, staff are seeking City Council approval to apply a credit against the Parks and Recreation component of the Development charges to build the above base park improvements and to collect Letters of Credit for the Development Charges and the Parkland Dedication requirement.

RECOMMENDATIONS

The Acting General Manager, Parks, Forestry and Recreation, recommends that:

1. City Council approve a development charge credit for the design and construction of the Above Base Park Improvements by the owners of 951-971 Bay Street and 501-521 Yonge St at 5-25 Wellesley Street West and 14 to 26 Breadalbane Street. The development charge credit shall be in an amount that is the lesser of the cost to the owners of installing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of development charges payable for the development. The development charge credits will only be applicable if the Wellesley Street site is approved, and if the owners agree to apply the credits.
2. City Council authorize staff to enter into an agreement with the owners of 951-957 Bay St and 501-521 Yonge St to accept a Letter of Credit for the payment of the Parks and Recreation component of Development Charges payable.
3. City Council authorize staff to enter into an agreement with the owners of 951-957 Bay St and 501-521 Yonge St to accept a Letter of Credit to secure the parkland dedication requirements in respect of the site.

Implementation Points

For the Bay Street site, prior to the owner obtaining the Superstructure permit, they will provide separate Letters of Credit in the amount equal to the Parks and Recreation component of the Development Charges and the parkland dedication requirements in respect of the site.

For the Yonge Street site, prior to the owner obtaining the above grade building permit, they will provide separate Letters of Credit in the amount equal to the Parks and Recreation component of the Development Charges and the parkland dedication requirements in respect of the site.

Financial Impact

There are financial implications that will flow from the recommendations, but these cannot be quantified until a park design and cost estimate is submitted. Through the Development Charge credits and other sources of parkland improvement funds, the park will be built to a complete service level. There will be future Operating Budget costs to maintain this parkland, once constructed and in service.

The Deputy City Manager and Chief Financial Officer has reviewed the report and agrees with its recommendations.

DECISION HISTORY

The preliminary report for 5 to 25 Wellesley St W and 14 to 26 Breadalbane St. Zoning Amendment application was adopted by Toronto and East York Community Council on June 18, 2013. The owner proposed two residential towers at 45 and 54 storeys, including a 9-storey and 10-storey inverted L-shaped base that connects the two towers. The development proposed a total of 1304 dwelling units above 1-storey of retail space. The application has since been revised.

The link to the preliminary report approved agenda item can be found here:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.TE25.63>

951-971 Bay St Official Plan and Zoning By-law Amendment (By-law 1043-2013) was adopted by City Council on July 16, 2013. The owner proposed renovations and additions to the Sutton Place Hotel building to create a mixed-use building with a total of 727 residential units and ancillary retail uses at grade.

The link to the approved agenda item can be found here:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.TE25.10>

501 - 521 Yonge St Zoning By-law Amendment (By-law 139-2014) was adopted by City Council on November 13, 2013. The owner proposed to redevelop the site with a mixed use development with two towers of 23 and 52 storeys containing a combined total of 776 residential units.

The link to the approved agenda item can be found here:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.TE27.3>

ISSUE BACKGROUND

City Planning is scheduling a Final Report for a proposed rezoning of the Wellesley Street site to the August 12, 2014 meeting of the Toronto and East York Community Council. As part of the development application, the owner has proposed part of the site for parkland to fulfill their parkland dedication requirements. The owner of this site also controls two other sites in the immediate area that have been subject to recent development approvals on Bay Street and Yonge Street. The owner is proposing that the parkland dedication requirements for those sites be fulfilled on the Wellesley Street site.

Under normal circumstances, the recommendations pertaining to Development Charges and Parkland Dedication for the Bay Street site and the Yonge Street site would have been included in the Final Report and approved along with the development application. However, in this situation, at the time of final report for these applications, it was not known whether the offsite parkland dedication scenario would be feasible on the Wellesley Street site, and therefore, the recommendations were not included.

There is now a more thorough vision for the Wellesley Street site, along with the opportunity for the Bay and Yonge Street sites to fulfill their parkland dedication requirements through an offsite parkland dedication at the site. All of the sites are near each other, and are in an area with 0-0.42 hectares of local parkland per 1000 people, which is the lowest quintile of current provision of parkland. Therefore, a consolidated parkland dedication which produces a larger park is an advantage to the City and the residents of the area.

The development application on the Bay Street site is on track to obtain its Superstructure Permit in the next few weeks. As the owner has agreed to construct the above base park improvements at the Wellesley Street site, staff are seeking City Council approval to apply a credit against the Parks and Recreation component of the Development charges to build the above base park improvements and to collect Letters of Credit for the Development charges and the Parkland Dedication requirement.

There is no similar urgency regarding the permit for the Yonge Street site, but staff are seeking Council approval to secure via Letters of Credit, the Parks and Recreation component of the Development Charges and the parkland dedication requirement at this time as well.

COMMENTS

If the Wellesley Street proposal is approved and the Bay and Yonge Street sites are able to fulfill their parkland dedication requirements on that site, then the Letters of Credit for the respective parkland dedications can be returned when the parkland has been conveyed in satisfaction of the parkland dedication requirements.

It is also anticipated that the Letter of Credit for the Parks and Recreation component of the Development Charges can be returned when the above base park improvements have been constructed to the satisfaction of the General Manager of Parks, Forestry and Recreation.

If the Wellesley Street proposal is not approved, or does not proceed as anticipated, the Development Charge credit against the Parks and Recreation component will not be admissible and the owners will be required to make the Development Charge and Parkland Dedication payments in respect of the Bay and Yonge Street sites that have been secured by the Letters of Credit. If the owners do not make these payments, then the City will cash the Letters of Credit.

CONTACT

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SIGNATURE

Janie Romoff, Acting General Manager
Parks Forestry and Recreation Division

ATTACHMENTS

Attachment 1 – Context Map showing the Wellesley, Bay and Yonge Street sites.

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