

14 St. Matthews Road, 430 Broadview Avenue, 548, 550-558 Gerrard Street East (Bridgepoint Health) – Rezoning Application – Removal of the Holding Symbol “H” – Supplementary Report

Date:	January 28, 2009
To:	City Council
From:	Chief Planner and Executive Director, City Planning Division
Wards:	Ward No. 30 – Toronto-Danforth
Reference Number:	File No. 08 226414 STE 30 OZ

SUMMARY

This report responds to the Community Council’s request that the Chief Planner report to City Council on the outcome of discussions with Bridgepoint Health concerning the timing of the City’s option for development on Block B within the Bridgepoint Health Master Plan area in the block bounded by Broadview Avenue, Gerrard Street East, Riverdale Park and the Don Valley Parkway.

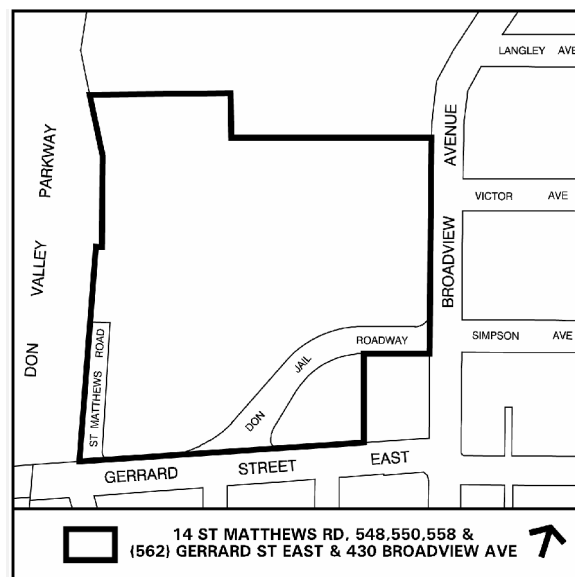
Bridgepoint Health has advised that they prefer that no changes be made to the timing for exercise of the City’s option. City Staff is satisfied that the City’s interest in developing Block B can be determined and the option exercised within the time frame provided in the Term Sheet for the Land Exchange Agreement between Bridgepoint Health and the City that was approved by Council in April 2006.

Financial Impact

There are no financial implications.

DECISION HISTORY

In November 2005, City Council approved a declaration of surplus report for certain City owned lands within the Bridgepoint



Health master plan area. In April 2006, Council approved the terms of land exchanges, transfers and lease amendments between the City and Bridgepoint Health to facilitate the comprehensive redevelopment of the quadrant.

In February 2006, City Council approved official plan and zoning by-law amendments (subject to a holding symbol “h”) and recommended approval of a plan of subdivision for this master plan area. Attachment No. 1 illustrates the layout of the approved plan of subdivision.

At its meeting of January 13, 2009 Community Council in considering the final report on the removal of the holding symbol for the Bridgepoint Health Master Plan area requested that, “the Chief Planner and other appropriate staff to discuss with Bridgepoint the timing related to the City's option for development of Block B, to consider such amendments or alternatives as may be appropriate, and to report on the outcome of such discussions directly to City Council for its meeting to be held on January 27 and 28, 2009, or such other time as Council considers Item TE22.14 Final Report - Rezoning Application - Removal of the Holding Symbol "H" – 14 St. Matthews Road, 430 Broadview Avenue, 548, 550-558 Gerrard Street East (Bridgepoint Health)”.

ISSUE BACKGROUND

Pursuant to the terms of the Land Exchange Agreement (LEA) that were approved by Council in April 2006, the City will retain ownership of Block B within the draft plan of subdivision and the existing long term lease to Bridgepoint will continue. The City has rights to terminate the lease and develop Block B with hospital related uses subject to certain conditions including:

- The City must give notice to Bridgepoint within 3 years of execution of the LEA that the City has a bona fide proposal to develop Block B for a permitted use which is reasonably achievable.
- The City must then commence construction within 2 years of Site Preparation (the existing hospital that is currently situated partially on Block B has been demolished).
- If the City has not commenced construction within 2 years of Site Preparation, Bridgepoint Health has the option to develop Block B for a permitted use (under the lease).
- The City has a further right to terminate the lease if Bridgepoint has not commenced construction within 5 years after Site Preparation. This right may only be exercised after the 5 year period, upon 2 years written notice to Bridgepoint and only if the City has a bona fide proposal to develop the block for a permitted use, that is reasonably achievable.

The Land Exchange Agreement is currently being finalized between the City and Bridgepoint.

COMMENTS

Staff from City Planning, Legal Services, City Manager's Office, Technical Services, Facilities & Real Estate Services and the Affordable Housing Office met to review the terms of the Land Exchange Agreement with respect to Block B. Staff have also met with representatives of Bridgepoint Health to discuss the timing for the City's option for development of Block B. Bridgepoint Health has advised that they prefer that no changes be made to the Term Sheet for the LEA.

The timing established in the Term Sheet for the LEA provides for the City to have a bona fide proposal that is reasonably achievable within 3 years of the execution of the LEA. The uses permitted by the LEA on Block B are health related uses and these are generally limited to a public hospital and/or long term care facility, senior citizens' housing and accessory uses.

Staff is satisfied that, if the City chooses to act on its option, a bona fide project for a permitted use that is reasonably achievable can be identified by the City within 3 years from the execution of the LEA. It is anticipated that the LEA will be signed in early 2009. Should the agreement be signed in 2009, this provides until early 2012 to identify the project. Staff have begun investigating options for potential users including identifying organizations that might be interested in providing supportive seniors' accommodation.

The term sheet does not include a definition of 'bona fide' or 'reasonably achievable' with respect to a develop proposal on Block B. Through the preparation of the LEA these terms are being clarified to ensure that the City and Bridgepoint Health have a mutual understanding of the nature of the proposal should the City exercise its development option on Block B. As well, Staff will continue to explore the definition of Site Preparation to ensure that within 2 years the City has a site that is ready for construction. The City is continuing discussions with Bridgepoint Health with respect to these definitions.

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SIGNATURE

Gary Wright, Chief Planner and Executive Director
City Planning Division

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ATTACHMENTS

Attachment 1: Plan of Subdivision – Bridgepoint Health and Don Jail Master plan Area

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