

**City Council****Notice of Motion**

MM43.17	ACTION			Ward:27
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**Amendment to Section 37 Agreement for 27-37 Yorkville Avenue and 26-32, 50 Cumberland Street to delay design and build out of on-site parkland dedication - by Councillor Kristyn Wong-Tam, seconded by Councillor Gord Perks**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Toronto and East York Community Council. A two-thirds vote is required to waive referral.*

**Recommendations**

Councillor Kristyn Wong-Tam, seconded by Councillor Gord Perks, recommends that:

1. City Council authorize the City Solicitor to amend the Section 37 Agreement for 27-37 Yorkville Avenue and 26-32, 50 Cumberland Street to delay the design, build out and conveyance of the on-site parkland dedication and to establish new timing requirements for these obligations to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Parks Forestry and Recreation.

**Summary**

The owners of the approved development at 27-37 Yorkville Avenue and 26-32, 50 Cumberland Street (now known as "33 Yorkville Avenue"), which consists of two linked mixed use towers (64 storeys and 41 storeys) and a 8-storey base, are required to convey 583.5 square metres of parkland to the City as their on-site parkland dedication. The owners of the subject site entered into a Section 37 Agreement with the City in 2017, which contains conditions regarding the timing of conveyance, design and build out of the on-site park.

The developer of the adjacent property at 11-21 Yorkville Avenue and 16-18 Cumberland Street ("11 Yorkville Avenue"), Metropia, recently submitted a development application in April 2018. The City is requiring an on-site parkland dedication for 11 Yorkville Avenue property adjacent to the subject on-site parkland. Metropia has submitted plans that currently show their on-site parkland dedication adjacent to the parkland dedication at 33 Yorkville Avenue. These two combined parkland dedications would ultimately provide one large, consolidated park for the Yorkville area.

In order to facilitate the design and build out of a consolidated and cohesive park, certain conditions in the 33 Yorkville Avenue Section 37 Agreement that control such timing need to be amended so that they can occur at a later date. Delaying the design, build out and possibly

the conveyance of 33 Yorkville Avenue on-site parkland dedication would allow the proposed development at 11 Yorkville Avenue to potentially catch up to 33 Yorkville Avenue. This would facilitate the coordinated design and build out of the two on-site parkland dedications so that they would occur at the same time.

Authority to amend the Section 37 Agreement for 33 Yorkville Avenue to facilitate the coordinated design and build out of the two on-site parks is required.

**Background Information (City Council)**

Member Motion MM43.17