

City Council**Motion without Notice**

MM9.50	ACTION			Ward: 19
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90 Eastdale Avenue and 2 Secord Avenue - Implementation of City Council approved Local Planning Appeal Tribunal settlement - by Councillor Brad Bradford, seconded by Councillor Ana Bailão

** This Motion has been deemed urgent by the Chair.*

** This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

Recommendations

Councillor Brad Bradford, seconded by Councillor Ana Bailao, recommends that:

1. City Council declare the Eastdale Parkette, shown as Part 1 on Sketch PS-2019-014 as surplus, with intended manner of disposal by land exchange with 2 Secord Inc. and 90 Eastdale Inc.
2. City Council direct the Deputy City Manager, Corporate Services to enter into a Land Exchange Agreement with 2 Secord Inc. and 90 Eastdale Inc. for the disposal of the Eastdale Parkette, shown as Part 1 on Sketch PS-2019-014 in Appendix B to Motion MM9.50, in exchange for the replacement park lands identified as Part 2 on Sketch PS-2019-014, substantially on the terms and conditions outlined in Appendix A to Motion MM9.50, and such other terms as may be approved by the Director, Real Estate Services in consultation with the General Manager of Parks, Forestry and Recreation, and satisfactory to the City Solicitor.
3. City Council direct the Deputy City Manager, Corporate Services to enter into a Lease Agreement to lease back the replacement park lands, identified as Part 2 on Sketch PS-2019-014, to 2 Secord Inc. and 90 Eastdale Inc. for nominal consideration for 46 months, substantially on the terms and conditions outlined in Appendix A to Motion MM9.50, and on such other terms as may be approved by the Director, Real Estate Services in consultation with the General Manager of Parks, Forestry and Recreation, and satisfactory to the City Solicitor.
4. City Council authorize the City Solicitor to request the Local Planning Appeal Tribunal to amend the Official Plan Amendment before the Tribunal to accommodate the 46 month delay between the disposal of the existing park and the construction of the park on the Replacement Park lands, by way of a site specific exemption from the Official Plan Policy 4.3.8.

Summary

2 Secord Inc. and 90 Eastdale Inc. ("the Developer") plan to redevelop the rental housing

properties at 90 Eastdale Avenue and 2 Secord Avenue by adding new buildings and site improvements. City Council authorized a settlement of the Developer's planning applications before the Local Planning Appeal Tribunal, through Item CC39.7 on April 24, 2018. City Council approved the Developer's rental housing demolition application through Item TE34.21 on July 23, 2018.

The planning approvals contemplate the exchange of an existing City park at the northeast corner of the block, for a new park at the southeast corner of the development site. The City will dispose of the Eastdale Parkette, shown as Part 1 on Sketch PS-2019-014 (see Appendix B) (the "Eastdale Parkette"), allowing the developer to construct part of a 35-storey tower on the site. A new 7-storey building will also be constructed as part of the development. A replacement park will be constructed on the lands identified as Part 2 Sketch PS-2019-014 in Appendix B to Motion MM9.50 (the "Replacement Park").

The existing Eastdale Parkette has limited greenspace utility and park infrastructure. The relocated park will be close to a local school, and adjacent to the Developer's parkland contribution land and a new Publically Accessible Privately Owned Space (POPS easement), to be provided by the Developer pursuant to the conditions of the planning approvals. The net result will be a larger public park area with equal or superior green space and utility.

The Replacement Park is currently occupied by 12 rental townhouses, to be demolished pursuant to the terms of the Developer's Rental Housing Demolition approval (approved by Council on July 23, 2018 in TE34.12). The existing residents will have the option of relocating to the new 7-storey residential tower to be constructed by the developer at the same time as the proposed new 35-storey tower located partially on the Eastdale Parkette land.

Because the construction of both new residential towers will take place concurrently, approximately 4 years will elapse from the date of the land exchange until the Developer can relocate the existing residents, demolish the townhomes and complete construction of the Replacement Park. The delay in the construction of the Replacement Park will allow the existing residents to remain in place until the replacement rental housing is constructed, but results in the loss of park space for 4 years. To secure its interest, the City will take ownership of the Replacement Park lands on the date that it transfers title of the Eastdale Parkette, and lease the Replacement Park land back to the Developer on the terms set out in Appendix "A." To mitigate against any risk of the Developer defaulting in its obligations to relocate the tenants, demolish the townhouses and remediate the Replacement Park lands, the City will obtain financial security as set out in Appendix "A" to Motion MM9.50.

Official Plan Policy 4.3.8 prohibits the disposal of City-owned parks, but allows exchanges for land of equivalent or larger area and green space utility. Although the Replacement Park will have greater utility, it will not be built out for at minimum 4 years. Therefore, a Site Specific Amendment is required to exempt this property from the application of Official Plan Policy 4.3.8.

Both parcels identified on Sketch PS-2019-014 are of equal size and market value, being approximately 1655 square metres in area.

This Motion is urgent in order to advance an interim park development and land exchange for a city park.

Background Information (City Council)

Member Motion MM9.50

Appendix A - Terms of Land Exchange

<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-136075.pdf>

Appendix B - Sketch PS-2019-014

<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-136097.pdf>