

City Council**Motion Without Notice**

MM23.29	ACTION			Ward: 9
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391 Cherry Street - Development Charges Early Payment Agreement - by Councillor Ana Bailão, seconded by Councillor Kristyn Wong-Tam

** 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 Ana Bailão, seconded by Councillor Kristyn Wong-Tam, recommends that:

1. City Council authorize the Chief Building Official and Executive Director, Toronto Building, in consultation with the Chief Financial Officer and Treasurer, to enter into a Development Charges Early Payment Agreement to allow for development charges for the project located at 391 Cherry Street to be calculated, payable and collected as of the date of the issuance of the first conditional building permit, which is the structural permit in respect of this project; the agreement to be in a form acceptable to the Chief Financial Officer and Treasurer and the City Solicitor.
2. City Council authorize the Chief Building Official and Executive Director, Toronto Building, in consultation with the Chief Financial Officer and Treasurer and the City Solicitor, to include any provisions in the agreement, as deemed appropriate, to protect the City's financial interests related to this project.
3. City Council direct and authorize the appropriate City staff to take the necessary action to give effect to City Council's decision.

Summary

On December 16, 2019, the Lieutenant Governor of Ontario posted notice that certain Development Charges Act, 1997 changes would come into effect on January 1, 2020. These changes included a requirement that development charges for rental housing development be deferred to the date of first occupancy and collected in six equal annual installments over five years, instead of being payable at the time of building permit issuance.

The City is in receipt of a building permit application for a project located 391 Cherry Street. The project consists of a proposal to construct a new mixed-use building consisting of three towers and podiums with a shared one level below grade garage. A total of 770 rental housing units are proposed, with 231 units for affordable rental housing. A standalone shoring and

excavation permit was issued on September 19, 2019. City staff have completed the reviews for the conditional structural building permit.

The developer wishes to pay the applicable development charges at time of issuance of the first conditional permit for the project, which is the structural permit (19-217279 STR CP), rather than deferring the payment to occupancy and payment in instalment.

Development charges for the market rental component of the project that is otherwise subject to the mandatory development charges deferral to occupancy totals approximately \$19.5 million.

Background Information (City Council)

Member Motion MM23.