

City Council**Notice of Motion**

MM24.21	ACTION			Ward: 19
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2-50 Secord Avenue and 48-108 Eastdale Avenue - Development Charge Early Payment Agreement and Redevelopment Credit - by Councillor Brad Bradford, seconded by Councillor Jennifer McKelvie

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Executive Committee. A two-thirds vote is required to waive referral.*

Recommendations

Councillor Brad Bradford, seconded by Councillor Jennifer McKelvie, recommends that:

1. City Council authorize the Chief Building Official and Executive Director, Toronto Building, or designate, in consultation with the Chief Financial Officer and Treasurer, to enter into a Development Charges Early Payment Agreement pursuant to Section 27 of the Development Charges Act, 1997, to provide for the early payment of development charges respecting the rental portion of the development at 2-50 Secord Avenue and 48-110 Eastdale Avenue to be calculated and payable based on the date of issuance of the first above grade conditional or non-conditional building permit; the agreement to be in a form satisfactory 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 authorize a development charge redevelopment credit in the amount of the development charges to be paid by the Developer pursuant to the Development Charges Early Payment Agreement in respect of the new rental units replacing the 12 existing rental units at 2-50 Secord Avenue, which credit is to be paid to the owner of lands municipally known as 2-50 Secord Avenue and 48-110 Eastdale Avenue, without interest, upon demolition of 12 existing rental dwelling units located at 2-50 Secord Avenue and subject to the owner entering into the Development Charges Early Payment Agreement with the City and complying with the provisions of that agreement, all to the satisfaction of the Chief Building Official and Executive Director, Toronto Building, the Chief Financial Officer and Treasurer, and the City Solicitor, as set out in Recommendations 1 and 2 above.
4. City Council direct and authorize appropriate City staff to take the necessary action to give

effect to City Council's decision.

Summary

This Motion seeks Council authority to enter into a Development Charges Early Payment Agreement pursuant to Section 27 of the Development Charges Act, 1997 for a rental housing development at 2 Secord Avenue and 90 Eastdale Avenue, and a development charge redevelopment credit for existing rental housing units that are being demolished in the final phase of the project to reduce dislocation impacts on tenants.

2 Secord Inc. and 90 Eastdale Inc. (collectively, the "Developer") propose to redevelop the site municipally known as 2-50 Secord Avenue and 48-108 Eastdale Avenue by adding a 35-storey residential tower, a 7-storey rental replacement building, constructing a new public park and carrying out other site improvements.

On April 24, 2018 City Council authorized a settlement of the appeal of the Developer's planning applications before the Local Planning Appeal Tribunal through Item CC39.7. On July 23, 2018 City Council approved the Developer's rental housing demolition application through Item TE34.21.

The Developer has been working with City staff and local Ward Councillor to minimize hardship that the proposed redevelopment may cause to existing tenants on the site. As a result, the City requested, and the Developer has agreed, to maintain 12 existing rental units at 2-50 Secord Avenue on site until such time as the new rental replacement building is constructed and the tenants relocate into their new units. At that time the 12 existing rental units will be demolished and a new public park will be constructed in their place.

The unintended result of the requested change in the construction/demolition phasing is that the Developer is no longer eligible to receive a development charge redevelopment credit/reduction with respect to the 12 existing rental units under the City's Development Charges By-law, §415-7(C)(1). This would not have been the case, had the development been allowed to proceed in accordance with the originally proposed phasing, i.e. demolition of the existing rental units followed by construction of the replacement rental units.

To the extent that the development charge reduction/credit authorized by the City's Development Charges By-law, §415-7(C)(1) is premised on the policy that, in the case of residential buildings, development charges are payable only with respect to net new residential units provided on the development site, within certain timeframe restrictions, a credit/reduction would be warranted in this case, if and when the 12 existing rental units at 2-50 Secord Avenue are eventually demolished.

In light of the above, this Motion proposes to authorize a development charge credit in for the amount of the units replacing the 12 existing rental units at 2-50 Secord Avenue which will be in the final phase of demolition as outlined in the City Council decision TE34.21 "90 Eastdale Avenue and 2 Secord Avenue - Rental Housing Demolition Application - Final Report". The credit would be paid to the owner of lands municipally known as 2-50 Secord Avenue and 48-110 Eastdale Avenue, without interest, upon demolition of the 12 existing rental dwelling units located at 2-50 Secord Avenue and subject to the owner entering into an early payment agreement with the City under Section 27 of the Development Charges Act, 1997.

Background Information (City Council)

Member Motion MM24.21

(<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-156974.pdf>)