

City Council

Motion without Notice

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| MM47.83 | ACTION | | | Ward: 9 |
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Amend the 2022-2031 Capital Budget and Plan for Parks, Forestry and Recreation to Fund Off-site Parkland Dedications within the Vicinity of the Development at 1500 St. Clair Avenue West - by Councillor Ana Bailão, seconded by Councillor Jennifer McKelvie

** Notice of this Motion has not been given. A two-thirds vote is required to waive notice.
 * This Motion is subject to referral to the Executive Committee. A two-thirds vote is required to waive referral.
 * This Motion has been deemed urgent by the Chair.*

Confidential Attachment - A proposed or pending acquisition or sale of land for municipal or local board purposes

Recommendations

Councillor Ana Bailão, seconded by Councillor Jennifer McKelvie, recommends that City Council adopt the following recommendations in the report (July 18, 2022) from the General Manager, Parks, Forestry and Recreation:

1. City Council approve an amendment to Parks, Forestry and Recreation's 2022-2031 Council Approved Capital Budget and Plan to create a new capital sub-project known as Acquisition of Land in Vicinity of 1500 St. Clair Avenue West sub-project in the Land Acquisition project, to be fully funded by Section 42 Above 5% Cash-in-lieu (XR2213) as outlined in Confidential Attachment 1 to this report, for the purpose of reimbursing St. Clair Caledonia Partnership the value in excess of the total required parkland dedication value for the purchase of three properties within the vicinity of the development at 1500 St. Clair Avenue West as an obligation of the off-site parkland dedication.

2. City Council authorize the General Manager, Parks, Forestry and Recreation to reimburse the value in excess of the total required parkland dedication value for the purchase of three properties by St. Clair Caledonia Partnership, as described in Confidential Attachment 1 to this report from Parks, Forestry and Recreation's 2022-2031 Council Approved Capital Budget and Plan from the Acquisition of Land in Vicinity of 1500 St. Clair Avenue West sub-project to St. Clair Caledonia Partnership, upon completion of the purchase of and conveyance to the City of all three properties within the vicinity of the development at 1500 St. Clair Avenue West as an obligation of the off-site parkland dedication requirement.

3. City Council authorize the General Manager, Parks, Forestry and Recreation and the Executive Director, Corporate Real Estate Management, in consultation with the City Solicitor, to secure the terms and conditions related to the reimbursement in the Section 37 Agreement,

on terms and conditions acceptable to the Executive Director, Corporate Real Estate Management, and in a form satisfactory to the City Solicitor.

4. City Council authorize the public release of the confidential information contained in Confidential Attachment 1, upon completion of the conveyance to the City of all three properties within the vicinity of the development at 1500 St. Clair Avenue West, and upon the issuance of the reimbursement, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the Executive Director, Corporate Real Estate Management, in consultation with the City Solicitor.

Summary

On September 9, 2021, Toronto and East York Community Council received a Preliminary Report (Item 2021.TE27.20) regarding an application to amend the Toronto Official Plan and Toronto Zoning By-law 569-2013 for a 16 and 18-storey mixed use development on lands located at 1500-1536 St. Clair Avenue West and 20-36 Caledonia Road. Through the detailed review of the proposal, staff identified that an on-site parkland dedication of 1,641 square metres would be required to support the application.

On April 6, 2022, City Council adopted Item 2022.MM42.41, directing the Chief Planner and Executive Director, City Planning and the General Manager, Parks, Forestry and Recreation to seek off-site parkland dedication or, in the alternative, cash-in-lieu for the development application at 1500-1536 St. Clair Avenue West and 20-36 Caledonia Road.

On June 15, 2022, City Council adopted Item 2022.TE33.4 and passed By-laws 535-2022 and 536-2022 which approved amendments to the Official Plan and Zoning By-law for the development proposal. As part of the Council decision and outlined in the By-laws, where in accordance with Section 42 of the Planning Act, prior to the First Above Grade Building Permit and as a legal convenience under the future Section 37 Agreement, the Owner, St. Clair Caledonia Partnership, shall convey to the City, a total required parkland dedication value of \$6.500 million, indexed upwardly in accordance with the Non-Residential Construction Price Index for Toronto calculated upon the submission of an application for the first above-grade building permit, composed of off-site parkland dedication, of properties acceptable to the General Manager, Parks, Forestry and Recreation and the City Solicitor.

St. Clair Caledonia Partnership has since conditionally acquired three properties to expand City-owned parkland. The total estimated cost for the three properties is included in Confidential Attachment 1 to this motion. It is the opinion of Parks, Forestry and Recreation staff that all three properties are to be acquired and conveyed to the City for parkland purposes.

The value of the three properties is anticipated to be more than the total required parkland dedication value. St. Clair Caledonia Partnership has conditionally acquired all three properties, within the vicinity of the development at 1500 St. Clair Avenue West, with the City to issue repayment for the delta. There is currently no City Council authority to direct Parks, Forestry and Recreation to allocate funds towards this acquisition.

This Motion seeks authority from City Council to reimburse up to the total value in applicable Section 42 Above 5 percent Cash-in-lieu funding detailed in Confidential Attachment 1 to the report (July 18, 2022) from the General Manager, Parks, Forestry and Recreation to St. Clair Caledonia Partnership to enable the acquisition of all three properties within the vicinity of the development at 1500 St. Clair Avenue West for conveyance to the City for parkland purposes.

Background Information (City Council)

Member Motion MM47.83

(July 18, 2022) Report from the General Manager, Parks, Forestry and Recreation on Authority to Amend the 2022-2031 Capital Budget and Plan for Parks, Forestry and Recreation to Fund Off-site Parkland Dedications within the Vicinity of the Development at 1500 St. Clair Avenue West

<https://www.toronto.ca/legdocs/mmis/2022/mm/bgrd/backgroundfile-228896.pdf>

Confidential Attachment 1 - Financial Impact

(July 19, 2022) Fiscal Impact Statement from the Chief Financial Officer and Treasurer

<https://www.toronto.ca/legdocs/mmis/2022/mm/bgrd/backgroundfile-228976.pdf>