

## **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**

**Date:** July 18, 2022

**To:** City Council

**From:** General Manager, Parks, Forestry & Recreation

**Wards:** Ward 9 - Davenport

### **REASON FOR CONFIDENTIAL INFORMATION**

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This report deals with a proposed reimbursement for the acquisition of land for parkland purposes by the City of Toronto (the "City").

### **SUMMARY**

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On June 15, 2022, City Council adopted Item TE33.4 1500-1536 St. Clair Avenue West and 20-36 Caledonia Road - Official Plan Amendment and Zoning By-law Amendment Application - Final Report and passed Bills 535-2022 and 536-2022, which approved amendments to the Official Plan and Zoning By-law for the development proposal. As part of the recommendations and outlined in the implementing bills, and 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 properties.

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 report. It is the opinion of Parks, Forestry & Recreation staff that all three properties 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 report seeks authority from City Council to reimburse up to the total value in applicable Section 42 Above 5% Cash-in-lieu funding detailed in Confidential Attachment 1 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.

## **RECOMMENDATIONS**

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The General Manager of Parks, Forestry & Recreation recommends that:

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.

## **FINANCIAL IMPACT**

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Confidential Attachment 1 to this report identifies the total estimated cost for 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 and the allocation of funds towards this acquisition.

Funding for the acquisition and reimbursement of the value in excess of the total required parkland dedication value will be captured in 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.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact Section.

## **DECISION HISTORY**

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At its meeting on September 9, 2021, Toronto East York Community Council received a Preliminary Report, TE27.20 1500-1536 St Clair Avenue West and 20-36 Caledonia Road - Official Plan Amendment and Zoning Amendment Applications - Preliminary Report, 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.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.TE27.20>

At its meeting on April 6, 2022, City Council adopted Item 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 & 20-36 Caledonia Road.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.MM42.41>

At its meeting on June 15, 2022, City Council adopted TE33.4 500-1536 St. Clair Avenue West and 20-36 Caledonia Road - Official Plan Amendment and Zoning By-law Amendment Application - Final Report and passed Bills 535-2022 and 536-2022, which approved amendments to the Official Plan and Zoning By-law for the development proposal. As part of the recommendations and outlined in the implementation of bills, 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.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.TE33.4>

## **COMMENTS**

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Parks, Forestry & Recreation is supportive of the acquisition of the three properties identified within Confidential Attachment 1 within the vicinity of the development at 1500 St. Clair Avenue West and supportive of the use of unallocated Section 42 Above 5% funds generated within the vicinity of the site to complete the transaction.

Reimbursement will only be issued 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.

The detailed terms and conditions specifying the reimbursement from the City and the Developer will be included in the Section 37 Agreement.

## **CONTACT**

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Alison Folosea, Director, Transaction Services, Corporate Real Estate Management, 416-338-2998, [Alison.Folosea@toronto.ca](mailto:Alison.Folosea@toronto.ca)

Rosanne Clement, Interim Director, Parks Development and Capital Projects, Parks, Forestry and Recreation, 416-396-7900, [Rosanne.Clement@toronto.ca](mailto:Rosanne.Clement@toronto.ca)

## **SIGNATURE**

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Janie Romoff  
General Manager, Parks, Forestry and Recreation

## **ATTACHMENTS**

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Confidential Attachment 1 - Financial Impact

