

City Council

Notice of Motion

MM11.9	ACTION			Ward: 11
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Amending TE26.4 - 33-49 Avenue Road and 136-148 Yorkville Avenue - Zoning Amendment Application - Final Report - by Councillor Dianne Saxe, seconded by Councillor Josh Matlow

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Toronto and East York Community Council. A two-thirds vote is required to waive referral.*

** A revised Motion was posted on October 10, 2023.*

Recommendations

Councillor Dianne Saxe, seconded by Councillor Josh Matlow, recommends that:

1. City Council amend its previous decision on Item 2021.TE26.4 by adding the following Parts:

1. City Council authorize and direct the Chief Planner and Executive Director, City Planning and the General Manager, Parks, Forestry and Recreation to seek an off-site parkland dedication, in respect of the Application, and should an acceptable off-site parcel be identified, and City Council approve the conveyance prior to one year after the first above grade building permit in respect of the Application in accordance with Section 42 of the Planning Act to the satisfaction of the General Manager, Parks Forestry and Recreation and the City Solicitor.

2. In the event that satisfactory off-site parkland cannot be secured to the satisfaction of the General Manager, Parks, Forestry and Recreation, then City Council accept cash-in-lieu of parkland in accordance with Section 42 of the Planning Act; timing of the conveyance or cash-in-lieu shall be in accordance with Chapter 415-28 of the City of Toronto Municipal Code.

Summary

On June 24, 2021 Toronto East York Community Council received a Final Report (Item [TE26.4](#)) regarding an application to amend the Toronto Zoning By-law 569-2013 for a 29-storey mixed use development (the “Application”) on lands located at 33-49 Avenue Road and 136-148 Yorkville Avenue (the “Lands”). Through a detailed review of the proposal, staff identified that cash-in-lieu of land would be required.

The Owner of the Lands has indicated a desire to pursue off-site parkland dedication instead of cash-in-lieu. Staff are working with the Owner and the Ward Councillor to identify potential sites that would meet Parks, Forestry and Recreation requirements.

This Motion will authorize and direct the City staff to seek an off-site park dedication and accept an off-site parkland dedication or, in the alternative, cash-in-lieu, in accordance with Section 42 of the Planning Act.

Background Information (City Council)

Member Motion MM11.9

<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-239669.pdf>