

18-28 Athabaska Avenue – Official Plan Amendment and Zoning By-law Amendment – Supplementary Report

Date: March 27, 2024

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 18 - Willowdale

Planning Application Number: 22 191099 NNY 18 OZ

Related Site Plan Application Number: 22 191098 NNY 18 SA

SUMMARY

This Supplementary Report provides an update to the parkland dedication recommendations contained in the report titled 18-28 Athabaska Avenue – Official Plan Amendment and Zoning By-law Amendment – Decision Report – Approval dated March 11, 2024 from the Director, Community Planning, North York District.

RECOMMENDATIONS

The Director, Community Planning, North York District recommends that:

1. City Council delete recommendations 4 and 5 and replace them with the following recommendations:
 4. City Council require the Owner to work with City Parks, Forestry and Recreation staff to identify a suitable off-site parkland dedication to be conveyed to the City to the satisfaction of the General Manager, Parks, Forestry and Recreation.
 5. If the Owner acquires an off-site parkland dedication satisfactory to the General Manager, Parks, Forestry and Recreation, the parkland dedication is to be conveyed according to the following conditions, with any remaining balance pursuant to Section 42 of the *Planning Act* to be provided as a cash-in-lieu payment to the City:
 - a. the off-site parkland dedication shall be conveyed to the City prior to the issuance of the first above-grade building permit, subject to the conveyance being free and clear, above and below-grade, of all easements, encumbrances, and encroachments, in an acceptable environmental

condition, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor;

- b. for the purposes of determining whether any remaining cash-in-lieu is payable:
 - i. the total value of the off-site parkland dedication would include the purchase, real estate commissions of five percent (5 percent), land transfer tax, and typical closing adjustments incurred, to the satisfaction of the General Manager, Parks, Forestry and Recreation; and
 - ii. the total value of the off-site parkland dedication based on the items outlined above are subject to indexing based on the Construction Price Index between the date the parkland is conveyed to the City and the issuance of the first Above-Grade Building Permit for the development.

2. City Council add the following recommendation:

Should the parkland dedication requirement not be able to be satisfied through a suitable off-site parkland dedication, the Owner is required to satisfy the parkland dedication requirement through cash-in-lieu, with payment to be made prior to the issuance of the first above-ground building permit for the land to be developed.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

CONTACT

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SIGNATURE



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