

## City Council

### Notice of Motion

MM28.1	ACTION			Ward: 11
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**Amending Item 2021.TE26.4 - 33-49 Avenue Road and 136-148 Yorkville Avenue and Creation of New Park at 819 Yonge Street - by Councillor Dianne Saxe, seconded by Councillor Jamaal Myers**

*\* 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.*

**Confidential Attachment - A proposed or pending acquisition or sale of land by the City of Toronto**

### Recommendations

Councillor Dianne Saxe, seconded by Councillor Jamaal Myers, recommends that:

1. City Council amend its previous decision on Item [2021.TE26.4](#) by adding the following Part:
  1. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the Owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks and Recreation; the development charge credit shall be in an amount that is the lesser of the cost to the Owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.
2. Notwithstanding Toronto Municipal Code Chapter 415-25, City Council authorize all required parkland dedication cash-in-lieu funds collected for 717 Church Street, pursuant to Section 42 of the Planning Act, be allocated to the new park secured at 819 Yonge Street.
3. City Council direct that the Section 42 cash-in-lieu of parkland dedication monies collected from the development at 717 Church Street reimburse the owner of 148 Yorkville Avenue for the acquisition, design, and construction of 819 Yonge Street as listed in Confidential Attachment 1.
4. City Council amend 2025-2034 Capital Budget and Plan for the Parks and Recreation for the sub-project known as "819 Yonge Street - New Park" in the Land Acquisition project, to be funded by the Section 42 cash-in-lieu of parkland dedication collected from the development at 717 Church Street (deferred revenue account 220303), with the remainder to be funded through Section 42 First 5 percent Cash-in-lieu Reserve funds (Source Account: XR2208), as outlined

in Confidential Attachment 1, for the purpose of reimbursing the owner of 148 Yorkville Avenue for the acquisition, design, and construction of 819 Yonge Street.

5. City Council direct the General Manager, Parks and Recreation, to reimburse the owner of 148 Yorkville Avenue up to the total value of the acquisition and improvement of 819 Yonge Street less their parkland dedication requirement pursuant to Section 42 of the Planning Act, to enable the conveyance to the City and development of 819 Yonge Street for parkland purposes.

6. City Council direct that Confidential Attachment 1 remain confidential as it pertains to a proposed or pending acquisition or sale of land by the City of Toronto.

7. City Council authorize the public release of Confidential Attachment 1 upon completion of the conveyance to the City of the 819 Yonge Street property, and upon the issuance of the reimbursement, to the satisfaction of the General Manager, Parks and Recreation, in consultation with the City Solicitor.

8. City Council authorize the General Manager, Parks and Recreation, to enter into and execute on behalf of the City a Construction Management Agreement with the owner of 148 Yorkville Avenue for securing, designing and constructing 819 Yonge Street, on terms and conditions deemed necessary and appropriate by the General Manager, Parks and Recreation, the Executive Director, Development and Review, and in a form satisfactory to the City Solicitor, and in accordance with City policies applicable to capital projects.

## **Summary**

At its meeting on July 14, 15 and 16, 2021, City Council adopted Item [2021.TE26.4](#), the Zoning By-law Amendment Application for the lands municipally known as 33-49 Avenue Road and 136-148 Yorkville Avenue (“148 Yorkville Avenue”). At its meeting on October 11 and 12, 2023, City Council, via Member Motion [2023.MM11.9](#), amended the parkland dedication requirement pursuant to Section 42 of the Planning Act from cash-in-lieu of parkland to an off-site parkland dedication.

This Motion seeks authority from City Council to reimburse the owner of 148 Yorkville Avenue, to enable the acquisition and development of 819 Yonge Street and conveyance to the City for parkland purposes.

The Owner of 148 Yorkville Avenue (Greybrook) has entered into a conditional Agreement of Purchase and Sale for 819 Yonge Street as an off-site parkland dedication. The value of the property at 819 Yonge Street is anticipated to be more than the total required parkland dedication value owed in conjunction with 148 Yorkville Avenue. To cover a portion of this cost difference, staff are seeking to direct the entirety of the Section 42 cash-in-lieu parkland requirement taken in by the City for a nearby development at 717 Church Street. Parks and Recreation staff are also seeking City Council authority to provide funds to reimburse the remaining acquisition costs.

The reimbursement to the owner of 148 Yorkville Avenue is to be funded by Section 42 First 5 per cent South District Parkland Acquisition Cash-in-lieu Reserve Funds (Source Account: XR2208) and the cash-in-lieu funds received from the development at 717 Church Street as outlined in the Confidential Attachment 1 (March 19, 2025).

Parks and Recreation staff are also seeking City Council authority to provide the Owner of 148 Yorkville Avenue a credit for the Parks and Recreation component of the Development Charges for the design and construction of the Above Base Park Improvements.

This off-site parkland dedication will expand the existing public open space network in the Bloor-Yorkville neighbourhood. This matter is urgent because opportunities to acquire off-site parkland are limited and time sensitive.

### **Background Information (City Council)**

Member Motion MM28.1

(<https://www.toronto.ca/legdocs/mmis/2025/mm/bgrd/backgroundfile-253785.pdf>)

Confidential Attachment 1 - Confidential Information