

MOTION WITHOUT NOTICE

289-299 Balliol Street and 305 Balliol Street

Ward 12

Moved by: Councillor Matlow

Seconded by: Councillor Chernos Lin

SUMMARY:

On January 22, 2025, the Ontario Land Tribunal (“OLT”) issued its Final Order regarding an application to amend City-wide Zoning By-law 569-2013 for a 31-storey mixed use development (the “Application”) on lands located at 289-299 Balliol Street and 305 Balliol Street (the “Lands”). City Council had previously accepted a settlement offer, and instructed the City Solicitor to attend at the OLT in support of the settlement ([Item 2023.C11.13](#)).

On July 23 and 24, 2025 City Council adopted a motion ([Item 2025.MM32.33](#)) authorizing and directing City staff to work with the Owner of the Lands to seek an off-site parkland dedication and accept an off-site parkland dedication, or in the alternative, cash-in-lieu, in accordance with Section 42 of the *Planning Act*.

The Owner of the Lands has a tentative agreement to purchase a property as off-site parkland dedication, with staff approval. The current owner of the property anticipated to be the off-site parkland is seeking a one-year lease back from the Owner of the Lands to allow time to find alternate living arrangements. This would result in the property being conveyed to the City after the first above grade building permit for the Lands as required by the Toronto Municipal Code, chapter 415-28.

This motion will authorize the timing of conveyance for the off-site parkland dedication to be altered from prior to the first above grade building permit, for the Lands to prior to two (2) years after the issuance of the first above grade building permit. This motion is urgent as the agreement between the Owner of the Lands and the owner of the property closes in the next 30 days.

RECOMMENDATIONS:

1. City Council amend its previous decision on [Item 2025.MM32.33](#) by amending Part 2 by deleting the words “the issuance of the first above grade building permit ” and replacing them with “two (2) years after the issuance of the first building permit” and adding a new subsection c) so that Part 2 now reads as follows:

2. Should the General Manager, Parks and Recreation, and the Owner agree to a property as a substitution for cash-in-lieu of parkland dedication, City Council accept the off-site parkland dedication, in full or partial fulfillment of the parkland dedication requirements, pursuant to Section 42 of the Planning Act, with conveyance to the City to occur prior to two (2) years after the issuance of the first above grade building permit, in accordance with the following:
- a) in the event that the value of the off-site parkland dedication is less than the value of the cash-in-lieu parkland dedication, the Owner shall pay cash-in-lieu of parkland for the shortfall in the value of the off-site parkland dedication in accordance with Chapter 415 Article III of the Municipal Code;
 - b) in the event that the Owner is unable to provide a substituted off-site parkland dedication to the satisfaction of the General Manager, Parks and Recreation, the Owner will be required to satisfy the parkland dedication requirement through the payment of cash-in-lieu prior to the issuance of first above grade building permit in accordance with Chapter 415 Article III of the Municipal Code; and
 - c) in the event that the City is seeking an off-site parkland dedication, the Owner has registered or authorized the City to register a section 118 restriction on title to the parkland prior to the issuance of the first above-grade building permit of the Lands, to the satisfaction of the General Manager, Parks and Recreation and the City Solicitor.

For submission to City Council on October 8, 2025