

MOTION WITHOUT NOTICE

Amending Item 2022.TE34.11 - TE34.11 - 40 Raglan Avenue - Zoning By-law Amendment and Rental Housing Demolition Applications - Final Report

Moved by: Councillor Matlow _____

Seconded by: Councillor Bravo _____

SUMMARY:

At its meeting of July 19-22, 2022, Toronto City Council adopted Item TE34.11 approving draft zoning by-laws for 40 Raglan Avenue subject to certain conditions to be fulfilled.

In the time since the City Council meeting, staff has discovered that recommendation 5.a.iv. contained an incorrect calculation of the required specified mid-block connection. This was a technical error and the recommendation should be replaced. The staff report contained sufficient information and material to enable the public and Council to correctly understand the zoning proposal that was considered.

Further, On July 19, 20, 21, and 22, City Council ([Agenda Item History - 2022.TE34.11](#)) approved an on-site parkland dedication with a minimum size of 174 square metres at 40 Raglan Avenue. The parkland conveyance was tied to prior to the first above grade building permit, to the satisfaction of the General Manager, PFR.

The parkland approved at 40 Raglan Avenue will mirror the adjacent parkland dedication at 32 Raglan Avenue. Initial conversations between the developers and Parks Development explored the idea of the Owner of 32 Raglan Avenue building out Base Park Improvements on both parkland dedications, with the Owner of 40 Raglan building out the Above Base Park Improvements for both parkland dedications.

Due to recent legislative changes related to the payment timing of Development Charges, the Owner of 40 Raglan Avenue has since communicated that there is no longer any interest to design and construct the Above Base Park Improvements. Despite this, conveyance timing of the parkland requires adjustment to reflect what was agreed to in earlier negotiations in order to facilitate the development.

This motion will authorize the adjustment of parkland conveyance from “prior to first above grade permit” to “prior to one (1) year following the issuance of the first Above-Grade Building Permit”.

This motion is urgent as the development is imminently moving towards construction.

RECOMMENDATIONS:

1. City Council amend its previous decision on Item 2022.TE34.11 by deleting Part 5.a.iv.

5. City Council require the owner to enter into an Agreement pursuant to Section 37 of the Planning Act (the "Section 37 Agreement") as follows:

a. the community benefits to be secured in the Section 37 Agreement are as follows:

Part to be deleted:

iv. the owner shall provide, at its own expense, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, a mid-block connection 7.1 metres wide and 5.3 metres in vertical height, with a minimum area of 640 square metres, comprised of a driveway and pedestrian walkway, connecting Raglan Avenue and the north-south public lane to the west of the site, as a surface easement for vehicle and pedestrian use by members of the general public; such easements shall be conveyed to the City prior to site plan approval, and with the configuration and design to be determined to the satisfaction of the Chief Planner and Executive Director, City Planning in the context of site plan approval; and

and adopt instead the following new Part 5.a.iv:

iv. the owner shall provide, at its own expense, all to the satisfaction of the Executive Director, Development Review and the City Solicitor, a mid-block connection 7.1 metres wide and 5.3 metres in vertical height, with a minimum area of 250 square metres, comprised of a driveway and pedestrian walkway, connecting Raglan Avenue and the north-south public lane to the west of the site, as a surface easement for vehicle and pedestrian use by members of the general public; such easements shall be conveyed to the City prior to site plan approval, and with the configuration and design to be determined to the satisfaction of the Executive Director, Development Review in the context of site plan approval;

2. City Council amend its previous decision on Item 2022.TE34.11 by deleting in Part 11 the words "prior to the first above grade building permit" and replacing them with the words "prior to one (1) year following the issuance of the first Above-Grade Building Permit", so that Part 11 now reads as follows:

11. City Council approve that in accordance with Section 42 of the Planning Act, prior to one (1) year following the issuance of the first Above-Grade Building Permit, the owner shall convey to the City, an on-site parkland dedication, having a minimum size of 174 square metres located in the south portion of the site, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.