

NOTICE OF MOTION

Re-opening and Amending TE22.3 - 72 Perth Avenue - Zoning By-law Amendment Application - Decision Report - Approval

Moved by: **Councillor Bravo**

Seconded by: **Deputy Mayor Malik**

SUMMARY:

At its meeting on May 21 and 22, 2025, City Council adopted Item TE22.3, approving a Zoning By-law Amendment application for the property at 72 Perth Avenue, which included a recommendation requiring a 134 square metre on-site parkland dedication to be conveyed to the City, prior to the issuance of first above grade building permit. At its meeting on March 25 and 26, 2026, through Item MM39.20, City Council amended Part 6 of Item TE22.3 to require the on-site parkland dedication size to be reduced to 131 square metres.

The applicant has informed Parks staff that given constraints of the site, conveyance of the park prior to the issuance of first above grade building permits would result in hardship with the construction timelines. The applicant has requested to delay the conveyance till after issuance of the above grade permit. This is to allow for construction and conveyance to coincide with the completion of all construction activity on the site.

This Motion seeks authority from City Council to delay the conveyance of the parkland to 30 months after issuance of the first above grade building permit.

REQUIRES RE-OPENING:

2025.TE22.3 (May 21 and 22, 2025), as it relates to Part 6.

RECOMMENDATIONS:

1. City Council amend its previous decision on Item 2025.TE22.3, as amended by Item 2026.MM39.20, by:
 - a. Deleting the words “prior” in Part 6 and replacing it with “up to 30 months after”, deleting “General Manager, Parks and Recreation” and replacing it with “Executive Director, Development Review”, so that Part 6 now reads as follows:
6. City Council approves that in accordance with Section 42 of the Planning Act, up to 30 months after the issuance of first above grade building permit, the owner shall

convey to the City an on-site parkland dedication, having a minimum size of 131 square metres, to the satisfaction of the Executive Director, Development Review and the City Solicitor.

Date: July 29, 2026