



August 4, 2010

Councillor Frances Nunziata, Chair Etobicoke York Community Council
Council Members of Etobicoke York Community Council
Betty Henderson, Manager of Community Councils

**Re: Unbumping” of Site Plan Control Application for
98 Index Road and 150 North Queen Street**

Dear Chair and Members of Etobicoke York Community Council;

On January 13, 2009, the Etobicoke York Community Council recommended approval, subject to certain conditions, of an application for amendments to the Official Plan and former City of Etobicoke Zoning Code by Calloway REIT to permit a retail development with a maximum gross floor area of 16,122 square metres at 98 Index Road and 150 North Queen Street. At this meeting the Etobicoke York Community Council also directed that the Site Plan Approval application for the proposed development be “bumped up” to Etobicoke York Community Council.

On January 27 and 28, 2009, City Council adopted the approval recommendations of the Etobicoke York Community Council for the Official Plan and Zoning amendment application. Site-specific Zoning By-law No. 129-2009 was enacted by City Council for the proposed retail development. Zoning By-law No. 129-2009 includes the use of an “H” Holding Symbol in order to ensure that certain conditions are satisfied by the owner prior to the retail development occurring on the lands. The “H” Holding Symbol can only be removed from Zoning By-law No. 129-2009 once all the required conditions set out in Zoning By-law No. 129-2009 has been satisfied. One of the Holding Symbol conditions is that the owner must receive conditional Site Plan Control approval from the Director, Community Planning, Etobicoke York District.

On January 29, 2010, Smart Centres, on behalf of Calloway REIT, submitted a Site Plan Approval application to construct the retail development proposal for the lands. Staff review of the Site Plan Approval application is nearing completion and staff has informed the local ward councillor of the status of the application. Based on the site plan under review, the local ward Councillor has advised that he does not require the Site Plan Approval application to be “bumped up” to Etobicoke York Community Council.

Cont.

Getting things done for Etobicoke-Lakeshore

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Not requiring the Site Plan Approval application to be "bumped up" to Community Council will enable staff to finalize their review and, when appropriate, issue Notice of Approval Conditions for the application thereby fulfilling one of the "H" conditions of Zoning By-law No. 129-2009.

On July 21, 2010, Smart Centres submitted an application to remove the "H" Holding Symbol from Zoning By-law No. 129-2009. Staff are reviewing this application relevant to the holding provisions of the zoning by-law and will submit a report to Etobicoke York Community Council at a later date.

RECOMMENDATION:

That the Etobicoke York Community Council not require the Site Plan Approval application under review for 98 Index Road and 150 North Queen Street to be "bumped up" to the Etobicoke York Community Council."

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter Milczyn". The signature is fluid and cursive, with a long horizontal stroke at the end.

Peter Milczyn

Date: August 17, 2010 Etobicoke York Community Council