
City Council

Motion without Notice

MM52.36	ACTION			Ward: 23
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5170 Yonge Street- Zoning By-law Amendment and Site Plan Control Approval Applications - by Councillor Filion, seconded by Councillor Mihevc

** This Motion has been deemed urgent by the Chair. Council has added this Motion to the agenda for debate.*

** This Motion is subject to a re-opening of Item NY32.44 A two-thirds vote is required to re-open that Item.*

Recommendations

Councillor Filion, seconded by Councillor Mihevc, recommends that:

1. Recommendation No. 4(d) of Item NY32.44 be deleted and the following new recommendation No. 6 be added:
 - "6. Before Site Plan Approval for the proposed development:
 - a. all existing agreements that affect the subject lands be amended or terminated, if no longer necessary, to the satisfaction of the City Solicitor, including, but not limited to, the agreements related to the following items:
 - i. the Rose Garden, Gibson Park and Leased Park;
 - ii. the publicly accessible driveway, which also provides access to the Sam-Sor property, Gibson House and Yonge Hearts Child Care Centre;
 - iii. Heritage and Construction Impact and parking arrangements within the proposed development for Gibson House, to the satisfaction of Cultural Services;
 - iv. pedestrian tunnel connections to the Sam-Sor property to the north, and to 5160 Yonge Street to the south; and
 - v. the existing storm sewer and related City easements, to the satisfaction of Toronto Water and the Executive Director of

Summary

At its meeting of March 31 and April 1, 2010, City Council adopted the recommendations of the North York Community Council with respect to the report dated February 16, 2010 of the Director, Community Planning, North District and approved the Zoning By-law Amendment and Site Plan Control Approval applications for 5170 Yonge Street, subject to certain conditions, before the Final Bill could be introduced to City Council for enactment.

Recommendation No. 4(d) provided that:

"4. Before introducing the necessary Bills for the Zoning By-law amendment to City Council for enactment:

(d) all existing agreements that affect the subject lands be amended to the satisfaction of the City Solicitor..."

There are approximately 24 agreements that affect the subject lands and the City Solicitor has determined which agreements must be amended to reflect the new owners of the land and which agreements must be terminated because they are no longer needed. There is not sufficient time to do the necessary work before the end of this City Council meeting because of the sheer number of agreements and the Divisions involved.

The City Solicitor should be given reasonable time to amend or terminate the agreements so that the City's interests are protected and that the proposed development can proceed.

Requires a reopening of item NY32.44 adopted on March 31, 2010 headed "Final Report - Zoning By-law Amendment and Site Plan Control Approval Applications - 5170 Yonge Street", only as it relates to Recommendation 4 (d).

(Submitted to City Council on August 25 and 26, 2010 as MM52.36)