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**City Council**

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**Motion without Notice**

MM14.30	ACTION			Ward:27
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**Rezoning Application for 9-21 Grenville Street - by Councillor Kristyn Wong-Tam, seconded by Councillor Mike Layton**

- \* This Motion has been deemed urgent by the Chair.*
- \* This Motion is not subject to a vote to waive referral.*
- \* This Motion has been added to the agenda and is before Council for debate.*

**Recommendations**

Councillor Kristyn Wong-Tam, seconded by Councillor Mike Layton, recommends that:

1. City Council support the application for Zoning By-law Amendment and Site Plan Approval for 9-21 Grenville Street generally in accordance with the revised plans dated November 16, 2011 and date stamped by the Chief Planner November 21, 2011, subject to the draft Zoning By-law amendment, appended to the September 15, 2011, Planning Report (Attachment 6) being amended to reflect the above plans and to reflect the following changes:
  - a. the height of the proposed building be 50-storeys, with the maximum number of dwelling units not to exceed 495, with no other revisions to the envelope of the building;
  - b. a minimum of 126 parking spaces to be provided in a 5 level parking garage, including a maximum of 89 residents parking spaces, a maximum of 8 car-share parking spaces, and a minimum of 29 commercial parking spaces to be located in a public commercial parking garage. Any parking spaces not purchased by an owner of a residential unit in the proposed building will be set aside as part of the commercial parking garage; and
  - c. a Section 37 contribution in the total amount of \$2,800,000, to be paid as follows:
    - (i) prior to issuance of the first above grade permit, a payment of \$800,000 towards Yonge Street and local area street improvements; and
    - (ii) prior to the registration of the condominium corporation, and to be set out as a condition of draft condominium approval, a further payment of \$2,000,000, comprised of the following: \$1,130,000 towards Yonge Street and local area streetscaping improvements; \$500,000 towards the upgrade of St. Luke Lane; \$350,000 towards widening of sidewalks on

Grenville Street and Wood Street ; and \$20,000 towards LOFT Community Services for building improvements, or towards the works described above if such improvements are not feasible. These payments will not be subject to indexing, and, in consideration of the total payment of \$2,800,000, no public art contribution will be required.

2. The Owner agrees to provide at least 42 dwelling units to be constructed in the building that are capable of being designed as three-bedroom dwelling units in compliance with the provisions of the Ontario Building Code, and these dwelling units will be shown on any marketing plans as three-bedroom units and will be marketed as potential three-bedroom dwelling units. These units may be sold and/or constructed with fewer bedrooms with provisions in the condominium documentation to allow renovation to three-bedroom units.
3. City Council authorize the City Solicitor, in consultation with the Chief Planner, to make such revisions to the draft Zoning By-law (Attachment 6) as may be necessary to give effect to the above conditions.
4. The City endeavour to provide the applicant Notice of (Site Plan) Approval Conditions so as to implement the above by January 18, 2012.
5. Except as modified or altered by the above recommendations, City Council's decision made on October 24 and 25, 2011, with respect to the applications (Item TE10.4) will continue to apply.
6. City Council direct the City Solicitor to attend before the Ontario Municipal Board to implement same, with the necessary Zoning By-law Amendment, Section 37 agreement and Notice of Approval (Site Plan) Conditions.

### **Summary**

The applicant filed the original application for a Zoning By-law Amendment in December, 2010, for 9-21 Grenville Street. The application was revised in July 2011, to propose a 52 storey mixed-use building containing residential and grade related retail space, with a total height of 169 metres.

City Council, at its meeting of October 24 and 25, 2011, adopted the staff recommendations contained within the Staff Report dated September 15, 2011, (TE10.4) which report recommended reducing the height of the proposal from 52 to 46 storeys, and recommended section 37 contributions in the total amount of \$1,800,000.

As a result of Council's failure to make a decision within 120 days of the submission of the application for a Zoning By-law Amendment and within 30 days of the submission of an application for Site Plan Approval, the applicant appealed the applications to the Ontario Municipal Board on October 6, 2011. Subsequently, the applicant continued to consult with the local councillor. The Ontario Municipal Board has scheduled a prehearing conference for December 15, 2011, and the hearing is scheduled to commence on January 30, 2012.

(Submitted to Council on November 29, 30 and December 1, 2011 as MM14.30)