

426 University Avenue – Zoning By-law Application – Supplemental Report

Date:	October 9, 2009
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	08 163452 STE 20 OZ

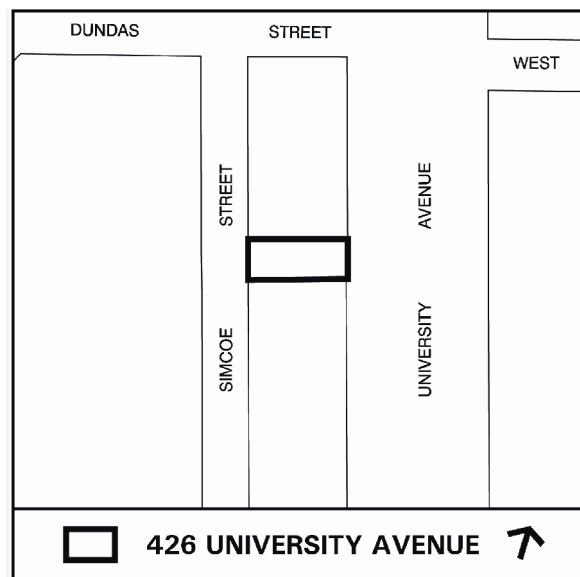
SUMMARY

The purpose of this report is to provide further information on a Limiting Distance Agreement (LDA) and a shared-use agreement for the indoor amenity space within a proposed condominium building located at 426 University Avenue. The proposed building will replace the existing Royal Canadian Military Institute (RCMI) with a new residential condominium incorporating a new facility for the RCMI at the base levels. This report is provided in response to the motion approved by City Council at its meeting on September 30, 2009 and October 1, 2009 regarding the provision of indoor amenity space for the residential condominium.

RECOMENDATIONS

The City Planning Division recommends that:

1. City Council amend the recommendation contained in the report from the Director, Community Planning, Toronto and East York District dated September 18, 2009 to require the owner to make appropriate arrangements to secure a Limiting Distance Agreement, with the owner of 400 University Avenue, prior to the introduction of the necessary Bills



- for enactment of the Zoning By-law; and
2. The draft Section 37 agreement conditions contained in the report from the Director, Community Planning, Toronto and East York District dated September 18, 2009 be amended to require the owner to enter into, as a condition of condominium registration, a shared-use agreement with the Royal Canadian Military Institute (RCMI) to secure access to the amenity space, facilities, and services within RCMI for use by the residents of the residential condominium and that the agreement be satisfactory to the Chief Planner and Executive Director, City Planning Division and the Ward Councillor.

Financial Impact

This report has no financial impact.

DECISION HISTORY

At its meeting on September 15, 2009, Toronto and East York Community Council approved a motion to amend the staff recommendation in the report entitled “Refusal Report – 426 University Avenue – Zoning By-law Amendment and Site Plan Approval Applications” to instead approve the application.

At its meeting on September 30, 2009 and October 1, 2009, City Council approved a motion to address the provision of indoor amenity space within the proposed condominium. This report provides further information related to that motion and clarifies the timing for a Limiting Distance Agreement.

COMMENTS

Limiting Distance Agreement (LDA)

The motion to revise the staff recommendations contained a recommendation that the owner make appropriate arrangements to secure a Limiting Distance Agreement with the owner immediately to the south at 400 University Avenue to the satisfaction of the Chief Building Official to be executed prior to final site plan approval. Subsequent discussions between the owner of the subject property and the owner of 400 University Avenue have revised the time line for the execution of the limiting distance agreement to prior to the introduction of the bills to amend the Zoning By-law. As such, the recommendations in the report dated September 18, 2009 are required to be amended to reflect the revised time line.

Shared-use Agreement for Indoor Amenity Space

The proposed residential condominium will contain 130 square metres of residential amenity space, significantly less than the 624 square metres required by the Zoning By-law. The applicant has advised that the residents of the condominium will have access to the amenity space and facilities contained within the RCMI in order to address the lack of indoor amenity space provided within the condominium component of the proposed building. At its meeting on September 30, 2009 and October 1, 2009 City Council

approved a motion that required the Section 37 agreement to be amended to require the owner to provide a shared-use agreement between the residential condominium and the RCMI prior to the registration of the condominium and to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the Ward Councillor.

CONTACT

Christopher Dunn, Community Planner

Tel. No. (416) 397-4077

Fax No. (416) 392-1330

E-mail: cdunn@toronto.ca

SIGNATURE

Raymond David, Director
Community Planning, Toronto and East York District

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