

City Council**Notice of Motion**

MM25.30	ACTION			Ward:34
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Proposed Revision to City Council Approval of Official Plan Amendment, Zoning By-law Amendment and Rental Housing and Demolition approvals for 35-53 and 101-113 Valley Woods Road and 1213-1229 York Mills Road - by Councillor Denzil Minnan-Wong, seconded by Councillor Peter Milczyn

** Notice of this Motion has been given.*

** This Motion is subject to a re-opening of Item NY9.46. A two-thirds vote is required to re-open that Item.*

Recommendations

Councillor Denzil Minnan-Wong, seconded by Councillor Peter Milczyn, recommends that:

1. City Council amend Item NY9.46, adopted by City Council at its meeting of September 21 and 22, 2011, with respect to the lands at 35-53 and 101-113 Valley Woods Road and 1213-1229 York Mills Road, dealing with the approval of an Official Plan and Zoning By-law amendment, draft plan of subdivision approval and rental housing demolition approval, as follows:
 - a. The number of affordable rental replacement units be revised from 83 units to 25 units and the number of mid-range rental replacement units is revised from 187 units to 245 units.
 - b. The amount of the Section 37 financial contribution for community benefits be increased from \$2,250,000 to \$2,650,000, of which \$2,150,000 is to be used for the expansion and/or renovation of Brookbanks Library or the construction of the combined Brookbanks Library/Recreation community centre facilities on the Brookbanks Library site or other community recreational facility in the area, \$250,000 is to be used for the future rehabilitation and renovation of the Milne House in Ward 34 and \$250,000 to be used for capital improvements to publicly owned affordable housing projects in the community. With respect to the timing for this additional contribution of \$400,000, the amount of the financial contribution to be paid prior to the issuance of any building permits for Building H is increased from \$117,000 to \$517,000.
 - c. Until such time as the owner has executed the Section 37 agreement to the satisfaction of the Acting Chief Planner and Executive Director, City

Planning and the City Solicitor and such agreement has been registered on title to the subject lands to the satisfaction of the City Solicitor, in addition to any other conditions for the issuance of building permits for the development:

- i. no building permit for the development shall be issued, including any permit for excavation and shoring, or for demolition of any of the existing buildings;
 - ii. the Acting Chief Planner is not authorized to issue a preliminary approval to demolish any of the existing residential dwelling units pursuant to Chapter 667 of the Municipal Code; and
 - iii. the Chief Building Official is not authorized to issue a permit for demolition under Chapters 667 and 363 of the Municipal Code, and section 33 of the Planning Act.
- d. The Official Plan Amendment, Zoning By-law Amendment and approvals for the issuance of a Section 111 permit for the demolition and replacement of the existing rental housing units, and other affected documents be revised as necessary to give effect to the above.

Summary

On September 21 and 22, 2011, City Council adopted a recommendation to approve Official Plan and Zoning By-law amendments, draft plan of subdivision approval, and rental housing and demolition approvals for a redevelopment proposal at 35-53 and 101 Valley Woods Road and 1213-1229 York mills Road. This is a significant redevelopment consisting of 1,610 residential condominium units and 270 residential rental units over four phases, with built form ranging from 3 storey townhouses to 24 storey apartment buildings.

Following Council approval, based on further information submitted by the applicant, it was determined that the applicant had mistakenly identified 83 existing rental units as having affordable rents. The applicant's submission was that there were only 2 affordable rental units, based on errors made in accounting for the timing of a previous change to individual metering for the tenants use of hydro services. The effect of this new information was to put the effective rent for many of the 83 affordable rental units into the mid-range rent category at the time the planning applications were submitted. Although this historical documentation was incomplete, it was possible to determine that the actual number of units deemed to have affordable rents could potentially be as low as 2 or as high as 25. Staff and the applicant have agreed to use the higher number, and the applicant has agreed to provide 25 affordable rental replacement units.

As the original City Council approval of the redevelopment and the section 37 contributions were based in part on the assumption that the applicant would be providing 83 affordable rental units, which number is being revised to 25, the applicant has agreed to make an additional Section 37 payment in the amount of \$400,000.00 to be used for the expansion and/or renovation of Brookbanks Library, the combined Brookbanks Library/Recreation Community Centre, or other community recreational facility in the area.

REQUIRES RE-OPENING:

North York Community Council Item NY9.46 adopted by City Council on September 21 and 22, 2011.

(Submitted to City Council on July 11 and 12, 2012 as MM25.30)

Background Information (City Council)

Member Motion MM25.30