

**2522-2542 Keele Street - Zoning By-law Amendment and Site  
Plan Control Applications - Request for Direction Report**

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|---------------|----------------------------------|
| <b>Date:</b>  | July 26, 2013                    |
| <b>To:</b>    | Etobicoke York Community Council |
| <b>From:</b>  | City Council                     |
| <b>Wards:</b> | Ward: 12                         |

**City Council Decision**

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City Council on July 16, 17, 18 and 19, 2013, in light of new, relevant information and significant changes to the application after the public meeting, referred Motion MM37.67 to the Etobicoke York Community Council for further consultation and clarification in accordance with Section 34(17) of the Planning Act, and both consistent and in conformity with the Official Plan and Zoning By-law as they existed on the day prior to the date of appeal to the Ontario Municipal Board.

**Recommendations**

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Councillor Gary Crawford, seconded Councillor Peter Milczyn, recommends that:

1. City Council adopt the following recommendations contained in the report (July 9, 2013) from the Chief Planner and Executive Director, City Planning:
  1. City Council instruct the City Solicitor, City Planning staff and any other City staff to attend the OMB hearing generally in support of the revised proposal, provided that the outstanding matters identified in this report are secured through the Zoning By-law Amendment and through conditions of Site Plan Approval to the satisfaction of the Chief Planner and Executive Director, City Planning; and provided that appropriate facilities, services and matters pursuant to Section 37 of the Planning Act are secured in an agreement registered on title to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor prior to the issuance of any Board order.

2. City Council authorize the City Solicitor, together with City Planning staff and any other appropriate staff, to advise the OMB of the above Council position and to:
  - a. request that the Board withhold its Order on the Zoning By-law Amendment application appeal until it has been advised by the City Solicitor that the proposed Zoning By-law Amendment is in a form satisfactory to the City and that the Section 37 Agreement required in Recommendation 1 above has been entered into and registered on title;
  - b. request that the Board withhold its Order on the Site Plan Control application appeal until it has been advised by the City Solicitor that the Notice of Approval Conditions have been finalized, and any pre-approval conditions have been satisfied;
  - c. request that the Board withhold its Orders on the Zoning By-law Amendment and Site Plan Control application appeals until the applicant has designed and provided financial securities for the road widening as noted in this report to the satisfaction of the General Manager, Transportation Services and the Director, Engineering and Construction Services and at no cost to the City of Toronto; and
  - d. request that the Board withhold its Orders on the Zoning By-law Amendment and Site plan Control appeals until a revised Functional Servicing Report has been submitted to the satisfaction of the Director, Engineering and Construction Services.
3. City Council authorize the City Solicitor, the Chief Planner and Executive Director, City Planning and other City staff to take any necessary steps to implement the foregoing.

## **Summary**

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The applicant with respect to 2522-2542 Keele Street has appealed its Zoning By-law Amendment and Site Plan Control applications to the Ontario Municipal Board (“OMB”) citing City Council’s failure to make a decision within the prescribed period of time. The Chief Planner and Executive Director, City Planning has prepared a report for the purpose of seeking Council’s direction regarding staff representation at the upcoming OMB Hearing.

The purpose of this Motion is to allow introduction and consideration of the report (July 9, 2013) from the Chief Planner and Executive Director, City Planning to the July 16, 17 and 18, 2013 meeting of City Council.

The OMB Hearing is scheduled for August 12, 2013 and consequently this is an urgent matter.

(Submitted to City Council on July 16, 17 and 18, 2013 as MM37.67)