

City Council**Motion without Notice**

MM30.29	ACTION			Ward:27
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OMB Hearing - 984, 990 and 1000 Bay Street Rezoning and Site Plan - by Councillor Kristyn Wong-Tam, seconded by Councillor Adam Vaughan

- * 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 Adam Vaughan, recommends that:

1. City Council adopt Recommendations 1, 2.c.iii, 2.c.iv, 2.c.v, 2.c.vi, 3, 4 and 5 in the attached report (February 14, 2013) from the City Solicitor.
2. City Council amend and adopt Recommendations 2.c.i and 2.c.ii by inserting the words "in consultation with the Ward Councillor" and replacing the words "gateway to St. Joseph Street" with the words "new Cloverhill Park" so Recommendations 2.c.i. and 2.c.ii now reads as follows:
 - 2.c.i. Prior to the issuance of the first above-grade building permit, pay to the City the sum of \$4,000,000, consisting of \$3,600,000 to be allocated to area park improvements and to local area streetscape improvements, including the narrowing of St. Joseph Street and \$400,000 to be allocated to capital improvements for local Toronto Community Housing buildings in consultation with the Ward Councillor.
 - 2.c.ii. Prior to the issuance of the first above grade building permit the owner shall make a Public Art Contribution of a maximum of \$500,00 for the new Cloverhill Park.

Summary

An Ontario Municipal Board (“OMB”) Hearing has been scheduled for March 20-22, 2013 in the above-referenced matter to hear the appeals from the owner with respect to a rezoning application and a site plan application. With the exception of two outstanding matters, the owner and the City have reached a tentative agreement, subject to council’s approval, on these matters.

The two outstanding matters deal with the number of parking spaces for the development and the encroachment of balconies and other structures over the widened lane way to the rear of the proposed development.

In reference to Recommendation 2a, a traffic report was filed which justifies the deletion of any part of P4 and providing parking for 145 cars which will be provided through a combination of minimum parking requirements for residents and visitors and a provision for up to 7 car-share parking spaces.

In reference to Recommendation 2b, an application was drafted and filed showing the lands requested to be conveyed to the City for the purpose of a public lane-widening and corner splay will extend marginally over the underground parking garage and under the balconies and other structures above. Comments received from Transportation Services from November, 2012 advised that an exact determination would be made upon a further submission of drawings. Updated comments received in January, 2013 required these encroachments be eliminated. There is precedent for these encroachments both below and above the lands requested to be conveyed to the City and sufficient clearance will exist to accommodate vehicular use of this laneway

Because the OMB hearing will commence before the next council meeting, it is urgent that City Council consider the matter at this Council meeting.

(Submitted to City Council on February 20 and 21, 2013 as MM30.29)

Background Information (City Council)

Member Motion MM30.29

(February 14, 2013) Report from the City Solicitor regarding 984, 990 and 1000 bay Street - Rezoning and Site Plan Applications - Request for Direction Report

(<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-56322.pdf>)