

City Council

Notice of Motion

MM41.16	ACTION			Ward:27
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197, 197R, 199 and 201 Yonge Street, 15 Shuter Street, 178 to 180 Victoria Street - Official Plan Amendment and Zoning By-law Amendment Applications (Massey Hall) - Revision to Item TE24.10 - by Councillor Kristyn Wong-Tam, seconded by Councillor Pam McConnell

** Notice of this Motion has been given.*

** This Motion is subject to a re-opening of Item TE24.10. A two-thirds vote is required to re-open that Item.*

** If re-opened, the previous Council decision remains in force unless Council decides otherwise.*

Recommendations

Councillor Kristyn Wong-Tam, seconded by Councillor Pam McConnell, recommends that:

1. City Council amend Item TE24.10 by:
 - a. revising the draft Zoning By-law Amendment, Attachment 2, to include an explicit provision that the land are subject to the Transition Protocol of City of Toronto Zoning By-law 569-2013; and
 - b. deleting the 5 Year Condition from Appendix 1.
2. City Council determine that pursuant to Section 34(17) of the Planning Act, no further notice is required to be given in respect of these changes to the proposed Zoning By-law Amendment.

Summary

At its meeting of June 11, 12 and 13, 2013 in connection with TE24.10, City Council approved a zoning amendment for the lands at 197, 197R, 199 and 201, Yonge Street, 15 Shuter Street, 178 to 180 Victoria Street substantially in accordance with the draft by-law attached as Attachment 2 to the report of the Director Community Planning, Toronto and East York District (April 29, 2013).

The Transition Protocol of the new Zoning By-law 569-2013 was established in order to remove properties from the new Zoning By-law that were the subject of pending zoning by-law amendment applications as of May 9, 2013. Although the Yonge Street addresses for this application have already been removed from By-law 569-2013 and made subject to the

Transition Protocol, the other addresses were inadvertently omitted. This Motion is for the purpose of making the other addresses (Massey Hall) within the draft by-law subject to the Transition Protocol as well.

In addition, the draft zoning by-law amendment attached to the April 29, 2013 Planning Report authorized by City Council included a condition as a Section 37 facility, service or matter (the "5 Year Condition") that if the development at 197 Yonge does not proceed within 5 years from the passage of bills that the lands to be conveyed to Massey Hall pursuant to the by-law, be required to be conveyed in any event and that the official plan and zoning by-law amendments be null and void. Massey Hall and the owner of the 197 Yonge lands have come to a different resolution of this issue, which at both parties request would have the conveyance requirement remain in place until such time as the development proceeds and which enables Massey Hall to proceed on an interim basis with a modified proposal for expansion until the conveyance is completed.

This Motion has been reviewed by and is supported by the Chief Planner and the City Solicitor.

Requires Re-opening

Toronto and East York Community Council Item TE24.10, headed " Final Report - 197, 197R, 199 and 201 Yonge Street, 15 Shuter Street, 178 to 180 Victoria Street - Official Plan Amendment and Zoning By-law Amendment Applications" adopted by City Council at its meeting on June 11, 12 and 13, 2013.

(Submitted to City Council on November 13 and 14, 2013 as MM41.16)

Background Information (City Council)

Member Motion MM41.16

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-63499.pdf>