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## City Council

### Motion without Notice

MM54.31	ACTION			Ward:27
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### **89 Avenue Road: Municipal Board Appeal re Zoning Amendment - by Councillor Kristyn Wong-Tam, seconded by Councillor Frank Di Giorgio**

*\* 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 Frank Di Giorgio, recommends that:

1. Part 1.f. of Item TE30.97 adopted by Council at its meeting on March 20, 2014 be amended to provide for the following:

"The owner will provide community benefits, pursuant to section 37 of the Planning Act, having a value of \$650,000, indexed in accordance with City practice, prior to the first above-grade building permit. Such funds shall be used by the City for local streetscaping improvements (including the hydro burying initiative in the Yorkville Triangle Neighbourhood) and/or for capital improvements to local parks. The community benefits will be secured in an agreement pursuant to section 37 of the Act in a form satisfactory to the City Solicitor."

#### **Summary**

At its meeting on March 20, 2014, following mediation of the dispute among the applicant and five opposing parties by the Municipal Board, Council authorized a settlement in principle of this development proposal. The resulting proposal will redevelop the site of the Howard Johnson Hotel with a 20-storey mixed-use development, having a commercial component in the range of 1,511 m<sup>2</sup> and a residential component in the range of 7,960 m<sup>2</sup> (approximately 61 units). Since that time, the parties have worked co-operatively to draft the various implementing planning documents in order to present these to the Municipal Board for final approval.

The purpose of this Motion is to revise the destination for the community benefits under section 37 of the *Planning Act* originally proposed at the mediation in order to better implement the

current goals of the parties. In particular, the Toronto Reference Library would no longer be listed and greater flexibility is inserted in language dealing with streetscape improvements.

This Motion is considered urgent, because the parties are to appear before the Ontario Municipal Board on July 30, 31 and August 1, 2014.

(Submitted to City Council on July 8 and 9, 2014 as MM54.31)

**Background Information (City Council)**

Member Motion MM 54.31