

City Council**Motion Without Notice**

MM11.27	ACTION			Ward:27
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66 Isabella Street, Authorization for amendments to a Section 37 Agreement - by Councillor Kristyn Wong-Tam, seconded by Councillor Janet Davis

** Notice of this Motion has not been given. A two-thirds vote is required to waive notice.
* This Motion is subject to referral to the Toronto and East York Community Council. A two-thirds vote is required to waive referral.
* This Motion has been deemed urgent by the Chair.*

Recommendations

Councillor Kristyn Wong-Tam, seconded by Councillor Janet Davis, recommends that:

1. City Council authorize the City Solicitor to enter into a Section 37 Amending Agreement to make the necessary changes to the Section 37 Agreement to eliminate the requirement for a laundry room in the building addition provided that ensuite washer and dryer laundry appliances are provided and maintained in all of the residential rental units in the building addition, to relocate the gym to the fifth floor, and to provide new amenity space for a study and a dog wash.

Summary

City Council approved Item TE12.12 regarding 66 Isabella Street on February 6, 2012 and authorized the City Solicitor to enter into a Section 37 Agreement to secure certain matters, including improvements and amenities for rental units on the site.

The Section 37 Agreement was registered on March 14, 2012 as instrument number AT2966032 (the 'Section 37 Agreement') and By-law No. 374-2012 was enacted on March 7, 2012.

The Owner has now made an application to the Committee of Adjustment (the 'Committee') which was heard on November 4, 2015. The Committee approved the application which includes repurposing the laundry room for other amenity uses, relocating a gym from the ground floor to the fifth floor and new amenity within the existing building to contain a study and a dog wash. The overall amount required amenity space required by the by-law is maintained. (Application No. A0857/15TEY).

The provision of the laundry room is a requirement of the Section 37 Agreement and the Owner is proposing instead to provide and maintain ensuite washer and dryer laundry appliances for

all of the residential rental units in the building addition instead of a common laundry room.

Amendments are required to section 6.1(b)(i) and 6.1(b)(iii) of the Section 37 Agreement to implement the changes.

Planning staff are supportive of these changes. One of the conditions of the Committee is that the Owner enter into an agreement to amend the Section 37 Agreement and direction is required from City Council.

This Motion is urgent as the developer has made a change to the building plant by including ensuite laundry in each of the units. In order to avoid extensive delays on the project and residents, this amendment to the Section 37 agreement to reflect the change in plans is needed at this December meeting of Council.

Background Information (City Council)

Member Motion MM11.27