

City Council**Motion without Notice**

MM11.41	ACTION			Ward:27
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175-191 Dundas Street East and 235 Jarvis Street - Zoning By-law Amendment Application - Request for Direction - by Councillor Kristyn Wong-Tam, seconded by Councillor Mary-Margaret McMahon

** 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 Mary-Margaret McMahon, recommends that City Council adopt the following recommendation contained in the report (December 9, 2015) from the Chief Planner and Executive Director, City Planning:

1. City Council authorize the City Solicitor, together with appropriate staff, to attend the Ontario Municipal Board hearing in support of a comprehensive settlement on the lands comprising 175-191 Dundas Street East and 235 Jarvis Street (File Numbers 14 208177 STE 27 OZ) and 225 Jarvis Street (15 134245 STE 27 OZ); as substantially outlined in the report from the Chief Planner and Executive Director, City Planning Division, dated December 8, 2015 and titled: "175-191 Dundas Street East and 235 Jarvis Street Zoning Amendment Application- Request for Direction Report", assuming all outstanding issues can be resolved and with the following conditions:

- a. Upon the Zoning by-law coming into full force and effect, the Owners will withdraw their site specific appeals to the Ontario Municipal Board of OPA 82, to the satisfaction of the City Solicitor, subject to the City amending such OPA to permit the proposed developments.

Summary

On May 5, 6 and 7, 2015, City Council adopted TE5.79 entitled "Request for Direction Report - 175-191 Dundas Street East and 235 Jarvis Street - Zoning Amendment Application and authorized staff to attend the Ontario Municipal Board in support of the proposed development.

On July 21, 2015, the Ontario Municipal Board approved the proposed development at 175 Dundas Street East with conditions.

Subsequent to this decision, the applicant filed for leave to appeal the Board decision to the Divisional Court. City Planning staff and the applicant at 225 Jarvis Street have continued

discussion in an effort to arrive at a settlement mutually satisfactory to all three parties.

City Planning staff have worked with both parties to outline a settlement proposal for 175 Dundas Street East that is generally supported by staff.

Background Information (City Council)

Member Motion MM11.41

(December 9, 2015) Report from the Chief Planner and Executive Director, City Planning on 175-191 Dundas Street East and 235 Jarvis Street, Zoning Amendment Application - Request for Direction

(<http://www.toronto.ca/leqdocs/mm15/2015/mm/bqrd/backgroundfile-86617.pdf>)