

City Council**Motion without Notice**

MM18.40	ACTION			Ward:5
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Final Report - 5239, 5245 and 5249 Dundas Street West and 3 Aukland Road - Zoning By-law Amendment Application - Section 37 Provisions - by Councillor Justin J. Di Ciano, seconded by Councillor John Campbell

** This Motion has been deemed urgent by the Chair.*

** This Motion is subject to a re-opening of Item EY10.2. 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 Justin J. Di Ciano, seconded by Councillor John Campbell, recommends that:

1. City Council amend Item EY10.2 by:

a. amending Part 3.d.ix. to read as follows:

"3.d.ix. The owner shall:

A. prior to the first above grade building permit, construct a public sidewalk along Aukland Road on the lands fronting the St. Albans Toronto Water pumping station;

B. prior to the first above grade building permit for the site, shall provide a certified cheque, in the form and from a financial institution acceptable to the Chief Planner, to the City in the amount of \$12,375.00 for the upgrade of the footpath on the St. Albans Toronto Water pumping station to a paved walkway."; and

b. adding a new Part 3.e. as follows:

"3.e. in the event that the City has not substantially completed the upgraded paved walkway referred to in Part 3.d.ix.B. above within 18 months after the issuance of the first above grade building permit for the site, then the City shall return the certified cheque to the individual or company that supplied it upon written request by that individual or company."

Summary

At its meeting of December 9, 2015, Council directed that certain Section 37 benefits be secured for the proposed rezoning at 5239, 5245 and 5249 Dundas Street West and 3 Auckland Road. Particularly, Council directed that the applicant upgrade the existing footpath south of the St. Albans Toronto Water pumping station (municipally known as 30 Auckland Road) to a paved walkway.

This amendment is intended to provide greater clarity on the timing for the construction of the St. Albans Toronto Water pumping station footpath and to ensure that the construction is completed within an appropriate timeframe.

This Motion is urgent because the revisions are necessary to complete and execute the Section 37 agreement for this development.

REQUIRES RE-OPENING

Etobicoke York Community Council Item EY10.2 - December 9, 2015 City Council meeting as it pertains to Part 3.

Background Information (City Council)

Member Motion MM18.40