

**City Council****Notice of Motion**

MM20.22	ACTION			Ward:28
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**6, 8, 10, 12, 14, 16 Glen Road, 4, 6, 58, 60, 62, 64, 76, 100 Howard Street and 603, 605, 607, 609, 611 Sherbourne Street - Official Plan Amendment, Zoning By-law Amendment and Rental Housing Demolition and Conversion Applications - by Councillor Pam McConnell, seconded by Councillor Paula Fletcher**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Toronto and East York Community Council. A two-thirds vote is required to waive referral.*

**Recommendations**

Councillor Pam McConnell, seconded by Councillor Paula Fletcher, recommends that:

1. City Council amend Item TE28.7 adopted by City Council on December 16, 17 and 18, 2013, by deleting Part 9 of the decision and replacing it with the following new Part 9 with modifications to the original decision as underlined:

9. City Council authorize the Chief Planner and Executive Director, City Planning Division to issue preliminary approval for a Section 111 permit for demolition of the rental units for each of the 3 existing rental buildings at 4 and 76 Howard Street and 603 Sherbourne Street under Municipal Code Chapter 667 following satisfaction of the matters set out in Parts 9.a., 9.c. and 9.d. below for 76 Howard Street, the matters set out in Parts 9.a.through 9.d. below for 603 Sherbourne Street and the matters set out in Parts 9.a. through 9.e. below for 4 Howard Street:

- a. satisfaction of the conditions in Part 8 above;
- b. the Official Plan amendment and the Zoning By-law amendment for the subject lands has come into full force and effect;
- c. if the replacement rental units are to be located on Howard Street (as referred to in Part 8.a. above), the owner has obtained any necessary variances and issuance of the Notice Of Approval Conditions for site plan approval for the building by the Chief Planner and Executive Director, City Planning, or designate, pursuant to Section 114 of the City of Toronto Act, 2006;
- d. the owner has obtained the first building permit for the foundation of the new

replacement rental building on the Howard Street lands (as referred to in Part 8.a. above), or if the rental units are to be replaced within the subject lands, the first building permit for shoring and excavation of the building which will contain the replacement rental units; and

e. for 4 Howard Street, the issuance of the Notice Of Approval Conditions for site plan approval of Block 1 by the Chief Planner and Executive Director, City Planning, or designate, pursuant to Section 114 of the City of Toronto Act, 2006.

## **Summary**

This Motion is being put forward on an urgent basis to facilitate the issuance of a permit for the demolition of 3 residential rental dwelling units and relocation of a heritage building in the context of a development previously supported by Council and in order to allow the timely return of an elderly tenant to his dwelling unit.

A modification to Part 9 of Item TE28.7 adopted in December 2013 is contemplated.

At its meeting on December 16, 17 and 18, 2013, by adoption of Item TE28.7, City Council authorized Official Plan and Zoning By-law amendments and approved a Rental Housing Demolition application at 6, 8, 10, 12, 14 and 16 Glen Road, 4, 6, 58, 60, 62, 64, 76 and 100 Howard Street and 603, 605, 607, 609 and 611 Sherbourne Street. The proposed development consists of residential towers, 3-storey townhouses, a low rise mixed-use building and retail uses at grade. The proposal also includes the retention of several heritage buildings (6-16 Glen Road, 603 Sherbourne Street and 605-607 Sherbourne Street), the relocation and conservation of 76 Howard Street, the conveyance of a public park and the demolition and replacement of 8 rental dwelling units with tenant relocation and assistance.

Item TE28.8 was adopted by City Council at the same meeting and related to the contemplated heritage alterations and demolitions and included Council's stated intent to designate properties at 76 Howard Street, 605 and 607 Sherbourne Street under the Ontario Heritage Act.

The Official Plan and zoning matters were appealed to the Ontario Municipal Board. Subsequently, by adoption of Item CC5.9 at its meeting on March 31, April 1 and 2, 2015, City Council adopted a recommendation authorizing settlement of the matters before the Board. The supporting documentation, including Section 37 Agreements, Section 111 Agreements and Heritage Easement Agreements are in the final stages of being finalized. The final form of the Official Plan and zoning amendment remain the subject of discussion due to changes being requested by the developer which are anticipated to be the subject of a further planning report to the Toronto and East York Community Council in September.

Part 9 of Item TE28.7 contemplated that, as a precondition to preliminary approval for issuance of the Section 111 permit under Chapter 667 of the Municipal Code allowing demolition of 8 rental dwelling units as part of the contemplated development, the owner be required to satisfy certain conditions. This Motion relates solely to the conditions associated with the demolition of the 3 existing rental units located at 76 Howard Street, a designated historic house which is to be preserved and relocated to 28-30 Howard Street. It is proposed that the conditions of approval for 76 Howard Street be modified to remove the requirement for the Official Plan amendment and Zoning By-law amendment to be in full force and effect. All other preapproval conditions will remain the same.

The 3 rental dwelling units at 76 Howard Street were vacated in January 2016 after notice was issued in order to facilitate the relocation of the heritage building. The applicant has provided the affected elderly tenant and his roomers with alternative accommodations in a neighbouring rental property and tenant relocation and assistance to each tenant, all to the satisfaction of the Chief Planner and Executive Director, City Planning. Prior to vacating his home the elderly tenant has confirmed that he would like to return to his home once it was relocated to 28-30 Howard Street and has become increasingly anxious for that to occur.

This Motion is proposed on an urgent basis to permit the developer to proceed with demolition of 3 of the 8 existing rental dwelling units and the relocation/conservation of the house at 76 Howard Street on an immediate basis.

All of the 8 rental replacement dwelling units are proposed in a replacement rental building to be constructed off site at 24-26 Howard Street as part of this development and will be secured through an agreement with the City prior to the issuance of the Section 111 permit for the demolition of the 3 existing rental dwelling units located at 76 Howard Street. A Heritage Easement Agreement will also be in place for 76 Howard Street. The issuance of the Section 111 permit for the rental dwelling units at 76 Howard Street will have no impact on the timing of construction for the replacement rental building at 24-26 Howard Street, the Official Plan and zoning amendments or other aspects of matters being finalized at the Ontario Municipal Board in accordance with Council's decision. The demolition and relocation of 76 Howard Street building is consistent with the contemplated development approvals.

This Motion has been prepared with the assistance of the Chief Planner and Executive Director, City Planning and the City Solicitor.

The related staff reports can be viewed at the following links:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.TE28.7>

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.TE28.8>

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.CC5.9>

### **Background Information (City Council)**

Member Motion MM20.22