

City Council**Motion without Notice**

MM21.43	ACTION			Ward:16
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**4050 Yonge Street - Official Plan Amendment and Rezoning Application
- by Councillor Christin Carmichael Greb, seconded by Councillor
James Pasternak**

** 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 Christin Carmichael Greb, seconded by Councillor James Pasternak, recommends that:

1. City Council adopt the attached report (October 4, 2016) from the Chief Planner and Executive Director, City Planning, subject to adding to Recommendation 3 a new Part iv., so that the recommendations will now read as follows:

The City Planning Division recommends that City Council amend its decision of July 12, 2011 (NY8.36) by deleting in part recommendations 1, 2, 4, 5a, 6, and 7 and replace with the following:

1. City Council amend the Official Plan for the lands at 4050 Yonge Street substantially in accordance with the draft Official Plan Amendment as attached in Attachment No. 6 to this report.

2. City Council amend former City of North York Zoning By-law No. 7625 for the lands at 4050 Yonge Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.

3. Before introducing the necessary Bills to City Council for enactment, require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:

a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:

i. Prior to the release of above grade permits, provide a cash contribution of \$1,500,000, which is to be used for the following:

(i) upgrades to the existing transit passenger pick-up and drop-off parking area along Old York Mills Road;

(ii) path and trail improvements/connections within the West Don River Valley area adjacent to the site, York Mills Park and York Mills Valley Park; and

(iii) parks improvements to Woburn Park, the Douglas Greenbelt and Old Orchard Park.

ii. Require that the cash amounts identified above shall be indexed quarterly in accordance with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City.

iii. Provide and maintain public art pursuant to a Percent for Public Art Program to be located on publicly accessible portions of the site to a value not less than one percent of the gross construction costs of all buildings and structures to be erected on the site.

iv. Require that a portion of the Section 37 amount in the sum of \$300,000.00 be provided prior to December 1, 2016.

b. The following matters are also to be secured in the Section 37 Agreement as a legal convenience to support the development:

i. the owner is required to submit a Reference Plan for all or portions of the lands below the top-of-bank, to the satisfaction of the Toronto and Region Conservation Authority, and convey all or portions of the subject site below top-of-bank to the Toronto and Region Conservation Authority; and

ii. the owner shall construct and maintain the development in accordance with the Tier 2 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Committee.

4. Amend the former City of North York By-laws #s 9813 and 9896 substantially in accordance with the draft By-law Amendment attached as Attachment # 8 to this report.

5. Require that prior to final site plan approval the owner enter into an agreement with the City to secure Technical Services conditions related to the removal of portions of the property from By-law Nos. 9813 and 9896, to the satisfaction of the City Solicitor and the Director of Engineering and Construction Services.

6. City Council determine that the revisions made to the proposed Official Plan and Zoning By-laws are minor in nature and, pursuant to subsection 34(17) of the Planning Act, no further public notice is required in respect of the proposed Official Plan and Zoning By-laws.

Summary

City Council at its meeting of July 12, 2011, adopted amendments to the Official Plan and former City of North York Zoning By-laws to permit a 7 storey commercial office building on the subject lands (NY8.36).

In 2015, the subject lands changed ownership and the Bills to amend the Official Plan and former City of North York Zoning By-laws were never enacted by City Council. The new property owner proposed to add a hotel use to the previously approved proposal. The owner entered into discussion with the local community and City Planning staff to ensure compatibility of the revised proposal with the local community.

The proposal has remained generally the same in density, height, and building footprint as the previously approved development. This hotel and office development will incorporate access to existing subway and GO bus transit infrastructure. The hotel will provide for additional hotel rooms at a key node in the City, utilize transit infrastructure and add positively to the City's tourism economy. The proposal will also provide for additional employment and office uses that will benefit the City's employment base and economic growth.

The attached report (October 4, 2016) from the Chief Planner and Executive Director, City Planning, being introduced herein, indicates that the proposal as revised requires minor modification to the previously approved Official Plan and Zoning By-law amendments.

There are Community Benefits which will accrue from this development and which will greatly improve local amenities and facilities; and the applicant has shown a willingness to support the local community and agreed to provide for \$300,000.00 of the Community Benefits closely following enactment of the Bills.

This Motion is urgent as the recommendations above will allow the City to secure Section 37 funding for needed community improvements and take advantage of the opportunity to improve existing infrastructure at this site.

Background Information (City Council)

Member Motion MM21.43

(October 4, 2016) Report from the Chief Planner and Executive Director, City Planning on 5050 Yonge Street - Official Plan Amendment and Rezoning Application (<http://www.toronto.ca/leadocs/mmis/2016/mm/bard/backgroundfile-97163.pdf>)