

City Council

Motion without Notice

MM23.35	ACTION			Ward:33
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1-35, 45-69, 6-66 Adra Villaway and 1-25, 2-24, 30-44, 37-53 Grado Villaway and 1-29, 2-28 Tomar Villaway - Amendment to Section 37 Contributions - by Councillor Ana Bailão, seconded by Councillor Michael Thompson

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

** * This Motion is subject to a re-opening of Item NY12.35. 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 Ana Bailão, seconded by Councillor Michael Thompson, recommends that:

1. City Council amend its decision on Item NY12.35, adopted by City Council on March 10, 2016 by deleting and replacing parts of its decision as indicated on the attached document, as follows:

a. delete Part 4.a.i.c. and adopt instead the following new Part 4.a.i.c.:

"an on-site public art installation through Arts Starts, a non-profit community-building group within the Villaways or another non-profit arts-based community group in consultation with the Chief Planner and the Ward Councillor; and";

b. delete Part 5b and adopt instead the following new Part 5b:

" prior to the registration of the first condominium for the site, the Owner shall convey approximately 3,174m² of land (Block E on the Draft Plan of Subdivision), at nominal cost, to the Toronto and Region Conservation Authority, to the satisfaction of the City Solicitor and Toronto and Region Conservation Authority;";

c. delete Part 5.f.1. and adopt instead the following new Part 5.f.i.:

" the market building may be occupied to a maximum of 50% before full completion and occupancy of the social housing replacement units; and";

d. delete Part 5.f.2. and adopt instead the following new Part 5.f.ii.:

"The six social housing replacement units on the 3, 5, 11, 17, 21 Allenbury Gardens and 3, 5 Kingslake Road site shall be completed and available for occupancy no later than the day 50% of the dwelling units located in "Building D" at 3, 5, 11, 17, 21 Allenbury Gardens and 3, 5 Kingslake Road as referenced in the City of Toronto By-law No.615-2013 are made available for Occupancy.";

e. delete Part 6.e and adopt instead the following new Part 6.e:

" the Owner shall agrees to clauses pertaining to a s. 111 Agreement being incorporated into the s. 37 Agreement.";

f. delete Part 8.c.; and

g. delete Part 10 and adopt instead the following new Part 10:

"City Council authorize the Chief Building Official and Executive Director, Toronto Building to issue a permit under Section 33 of the Planning Act, after the Chief Planner and Executive Director, City Planning has given the preliminary approval in Part 8 above which permit may be included in the demolition permit for Chapter 667 under 363-11.1E, of the Municipal Code, on condition that:

a. the Owner erect a residential building on site no later than five (5) years from the day demolition of the buildings is commenced; and

b. should the Owner fail to complete the new building within the time specified in condition 10a. above, the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of \$20,000 for each dwelling unit for which a demolition permit is issued, and that such sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued."

2. City Council determine that pursuant to Section 34 (17) of the Planning Act, as amended, no further notice is required in respect of the proposed Zoning By-law Amendment.

Summary

At its meeting of 10 March 2016, City Council approved the proposed development at 1-35, 45-69, 6-66 Adra Villaway and 1-25, 2-24, 30-44, 37-53 Grado Villaway and 1-29, 2-28 Tomar Villaway subject to a number of conditions, including Section 37 benefits.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.NY12.35>

Some of the requirements of these Section 37 benefits must now be amended. The purpose of this Motion is to amend the Section 37 contribution in this matter. It is urgent that Council deal with this motion now as there are deadlines for construction and notices to be given to tenants.

Background Information (City Council)

Member Motion MM23.35