

City Council

Motion without Notice

MM31.54	ACTION			Ward:26
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3 and 5 Southvale Drive and a Portion of 1073 Millwood Road - Amend City-wide Zoning By-law 569-2013 - by Councillor Jon Burnside, seconded by Councillor Justin J. Di Ciano

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

** This Motion is subject to a re-opening of Item NY18.37. 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 Jon Burnside, seconded by Councillor Justin J. Di Ciano, recommends that:

1. City Council amend City-wide Zoning By-law 569-2013, as amended, for the lands at 3 and 5 Southvale Drive and a portion of 1073 Millwood Road, substantially in accordance with the draft Zoning By-law Amendment attached to this Motion.
2. City Council, pursuant to Section 34(17) of the Planning Act, determine that no further notice to the public is required.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment attached to this Motion as may be required.
4. City Council amend NY18.37 by deleting Part 6 and adding a new Part 4 d.iv., which sets out matters in support of the development to be secured in the Section 37 Agreement, as follows:
 - "iv. prior to issuance site plan Notice of Approval Conditions the Owner shall:
 - A. submit a revised Functional Servicing Report and Geotechnical/Hydrogeological Report to the satisfaction of the Executive Director, Engineering and Construction Services; and
 - B. have made arrangements to the satisfaction of the Executive Director, Engineering and Construction Services, for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to support the development, based on the reports accepted by the Executive Director, Engineering and Construction Services."

Summary

City Council on December 13, 2016, adopted North York Community Council Item NY18.37, entitled "Final Report – Official Plan and Zoning By-law Amendment Applications – 3 and 5 Southvale Drive", which recommended amendments to City of Toronto Official Plan and General Zoning By-law 1916 of the former Town of Leaside to permit the development of a seven storey residential apartment building.

The proposed development includes a land exchange with the City of Toronto for which an Agreement of Purchase and Sale has been executed by the owner. At the time of the Final Report was brought forward, none of the lands were thought to be subject to City-wide Zoning By-law No. 569-2013 and amendment was not required. However, it has been confirmed that a portion of lands that will form part the future development site are currently subject to the City-wide Zoning By-law 569-2013 and an amendment is required. The Official Plan Amendment approved included the necessary redesignations and all necessary zoning amendments were intended to have been brought forward.

Planning has prepared the attached amendment to By-law 569-2013 respecting the development to be brought forward for enactment at the same time as the amendment to former Town of Leaside By-law No. 1916.

A revised Functional Servicing Report and a Geotechnical / Hydrogeological Report were required to be submitted prior to any required bills coming forward. Engineering and Construction Services advises that only technical revisions remain outstanding. This Motion includes revision to secure the obligation to make these changes as a matter required in support of the development in the 37 Agreement in order that all necessary bills can be brought forward for enactment.

This Motion is urgent as an amendment is required to By-law No. 569-2013 in order to ensure all necessary by-laws come forward for enactment such that building permits can be issued for the development as approved by Council. Amendment to the recommendations originally enacted is required to ensure that the all bills can be brought forward in a timely manner and minor outstanding matters are secured through the Section 37 agreement.

REQUIRES RE-OPENING:

North York Community Council Item NY18.37 - City Council meeting December 13, 14 and 15, 2016

Background Information (City Council)

Member Motion MM31. 54

Attachment 1 - Draft Zoning By-law Amendment

(<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-105601.pdf>)