

City Council**Motion without Notice**

MM32.34	ACTION			Ward:37
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1680 Brimley Road - Zoning By-law Amendment and Site Plan Application - Request for Direction Report - by Councillor Michael Thompson, seconded by Councillor Glenn De Baeremaeker

** 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 Michael Thompson, seconded by Councillor Glenn De Baeremaeker, recommends that:

1. City Council amend its decision on Item SC23.10, by:

1. amending Part 4.b(i) to read as follows:

"i. the construction, finishing, furnishing and equipping of a non-profit licensed child care facility in Tower 3 to accommodate 62 children, including infants, toddlers and preschoolers, comprising a minimum of 784 square metres of interior space a minimum of 247 square metres of exterior space adjacent to the interior space, including outdoor storage, and the provision for a child pick-up and drop-off area in the parking garage with safe and direct access to the child care facility. Prior to the issuance of the first above-grade building permit for Tower 3, the owner shall submit plans illustrating all details of the child care facility to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Children's Services, with such child care facility to be made available to the City prior to the registration of the condominium for Tower 3."; and

2. adding the following Part 7:

"7. City Council classify the lands municipally known as 1680 Brimley Road as a Class 4 Noise Area pursuant to Publication NPC-300 (MOECC Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning), and City Council direct the Chief Planner and Executive Director, City Planning, or designate to provide a copy of the Item to the Ministry of Environment and Climate Change, and other property owners as may be deemed appropriate."

Summary

At its meeting on July 4, 5, 6 and 7, 2017, City Council adopted Item SC23.10 to approve a Zoning By-law Amendment application proposing a mixed use development at 1680 Brimley Road, consisting of four interconnected towers ranging in height between 36 and 47 storeys, with a gross floor area of approximately 126,400 square metres, of which 122,230 square metres would be residential uses, 3,293 square metres would be retail uses and 855 square metres would be a childcare facility. The development would contain 1,591 residential units. The site is proposed to be divided by an L-shaped, two-way driveway to connect Brimley Road with Progress Avenue. An approximately 1,208 square metre open space is proposed at grade between the eastern towers.

The main Section 37 contribution in this approval was the construction, finishing, furnishing and equipping of a non-profit licensed child care facility in Tower 2 to accommodate 62 children, including infants, toddlers and preschoolers. After discussions between the applicant and neighbouring industrial properties who raised concerns about noise, odour and other compatibility issues, it is now proposed that the child care facility be constructed in Tower 3 instead of Tower 2. City Planning and Children Services staff have reviewed the revised proposal, and support locating the childcare facility in Tower 3.

Staff are requesting a further recommendation to address the compatibility issues raised by the industrial neighbours. A Class 4 noise area classification allows for higher daytime and nighttime sound level limits than would otherwise be permitted in relation to a noise sensitive land use such as residential dwellings and associated outdoor living areas. The impact of such higher levels is mitigated by specified noise control measures. Class 4 classifications have been applied to other parts of the City, and City Staff support this request.

This Motion is urgent as it pertains to an Ontario Municipal Board hearing in respect of the appeal of the Zoning by-law application which will be heard during the week of October 2, 2017.

Background Information (City Council)

Member Motion MM32.34