

City Council

Motion without Notice

MM34.27	ACTION			Ward:24
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2-14 Cusack Court - Technical Amendment to By-law 1278-2016 - by Councillor David Shiner, seconded by Councillor Jim Hart

** 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 David Shiner, seconded by Councillor Jim Hart, recommends that:

1. City Council amend By-law 1278-2016 by replacing Schedule RM6 (214) attached to the By-law with the revised Schedule RM6 (214) attached to this Motion.
2. City Council direct the City Solicitor to bring forward to City Council's meeting of November 7, 8, and 9, 2017 for enactment by Council, a Bill to make the changes to By-law 1278-2016 as noted in Part 1 above.
3. City Council determine that pursuant to Section 34(17) of the Planning Act, no further notice is to be given in respect of the changes to By-law 1278-2016.

Summary

At its meeting held on December 13, 14 and 15, 2016, City Council adopted Item MM23.39, which recommended amendments to the former City of North York Zoning By-law 7625 to permit redevelopment of 2-14 Cusack Court at height and density greater than otherwise permitted in By-law 7625 in exchange for the provision of such facilities, services, and matters otherwise set out in the By-law. City Council enacted By-law 1278-2016 at the close of the December 2016 meeting.

It has come to City Planning's attention that minor details of Schedule RM6 (214) to By-law 1278-2016 must be revised to reflect an oversight in mapping the height permissions. Staff advise that permission was inadvertently not granted for two small one-storey portions on the west side of the building despite their depiction on revised plans submitted to the City. Additionally, Buildings has advised that permission is needed for two ramps on the site due to a technicality in interpreting the Zoning By-law. These two matters do not materially change the rezoning application which was before Community Council for the statutory public meeting and before City Council in the Final Report.

It is therefore appropriate that the technical amendments as set out in this Motion be made to By-law 1278-2016 without the need for any further public notice.

This is an urgent matter since the by-law was enacted almost one year ago and further delay may cause hardship to the applicant.

Background Information (City Council)

Member Motion MM34.27

Attachment 1: Draft By-law to replace Schedule RM6 (214)

(<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-108815.pdf>)