

City Council

Motion without Notice

MM35.36	ACTION			Ward:20
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497, 505 and 511 Richmond Street West - Technical Amendments to Site Specific By-law 848-2017, as amended - by Councillor Joe Cressy, seconded by Councillor Ana Bailão

** 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 Joe Cressy, seconded by Councillor Ana Bailão, recommends that:

1. City Council amend By-law 848-2017, as amended, by inserting into the list of provisions identified in the first paragraph of Section 1 the reference to sections ", 12(2)246(A), 12(2)246 (C), 12(2)246(E)" after the reference to sections "7(2)(9), 7(3)" and before the words "of By-law 438-86".
2. 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 848-2017, as amended, set out in Part 1 above and City Council direct the City Solicitor to bring forward the necessary bill to make the change for enactment by City Council at its meeting commencing December 5, 2017.

Summary

At its meeting on March 9, 2017, City Council adopted Item TE22.5 approving the proposed development at 497, 505 and 511 Richmond Street West. At its meeting on July 4, 5, 6 and 7, 2017, City Council adopted MM31.60 and enacted the associated site specific zoning amendments By-law 848-2017, (amendment to former City of Toronto By-law 438-86, as amended) and By-law 849-2017 (amendment to City of Toronto By-law 569-2013, as amended). At its meeting on November 7, 8 and 9, 2017, City Council adopted MM34.29, thereby permitting technical amendments to each of the site specific zoning amendments to address a technical error related to the calculation of the gross floor area pertaining to the area used for a community space, which was inadvertently reversed between the two By-laws. The technical amending By-laws were adopted as by-law 1260-2017 and 1261-2017, respectively.

Site specific zoning amendment By-law 848-2017, as amended, contains performance standards related to building depth, building stepbacks from the street above a height of 20 metres and minimum parking requirements which are different from those contained in sections 12(2)246(A), 12(2)246(C) and 12(2)246(E) of former City of Toronto By-law 438-86, as

amended. The first paragraph of Section 1 of By-law 848-2017, as amended, lists all the provisions contained in former City of Toronto By-law 438-86, as amended, which no longer apply to the lands at 497, 505 and 511 Richmond Street West and should have included Sections 12(2)246(A), 12(2)246(C) and 12(2)246(E). This was an inadvertent omission and a technical amendment is required.

Accordingly, City Council is requested to authorize a technical amendment to By-law 848-2017, as amended, as follows:

"Insert into the list of provisions identified in the first paragraph of Section 1 the reference to sections ", 12(2)246(A), 12(2)246(C), 12(2)246(E)" after the reference to sections "7(2)(9), 7(3)" and before the words "of By-law 438-86".

This amendment will not result in a change to the proposed plans and drawings but is required to accurately reflect the requirements of the parent by-law. All required notices were given pursuant to the Planning Act prior to enactment of By-law 848-2017. The amendment is technical in nature and Council is being requested to determine that no further notice is required.

The link to the By-law proposed to be amended is as follows:

<http://www.toronto.ca/legdocs/bylaws/2017/law0848.pdf>

This Motion is urgent as further delay may cause hardship to the applicant and could delay the delivery of the YMCA facility secured by City Council as part of this development.

Background Information (City Council)

Member Motion MM35.36