



April 4, 2018

**RE: 2522 – 2542 Keele Street
Availability of Section 37 benefits under Official Plan Policies**

Summary

Council must have all relevant information when making a decision on a development proposal. It is my understanding that Council must approve the site plan agreement registered on title prior to approval of condominium registration.

The Official Plan provides for the use of Section 37 of the Planning Act provided the new development meets the test of good planning and is consistent with the policies and objectives of the Plan. In most cases, new proposed development must locate and organize vehicle parking and vehicular access to minimize the impact on the local community and the new building residents.

The use of Section 37 in accordance with Official Plan policy is viewed as an accepted method for controlling the details of development proposals as well as securing needed community benefits from additional density and height. Normally the appropriate package of Section 37 benefits is a planning issue to be resolved along with other planning issues associated with a development application that include a serious shortage in parking requirements. As a rule, visitor parking spaces and unit parking spaces are stated as a ratio.

Typically, when a Section 37 benefit is applicable to a development and for whatever reason the benefit is not negotiated prior to the submission of a direction report to Community Council in compliance with Official Plan Policies, planning staff recommend refusal of the application to community Council and ultimately to Council. For some incomprehensible reason, the development at 2522-2542 Keele Street was recommended for approval with a promise of Section 37 Community benefits in accordance with the Planning Act and not Official Plan Policies that would include the Councillor.



Therefore, Council should explore remedies to ensure that Section 37 benefits at 2522-2542 Keele Street are at least not limited solely to the efforts of the local Councillor to diminish the adverse impacts on site as well as neighbouring streets.

Motion

That Etobicoke York Community Council instruct the Chief Planning Official and the City Solicitor to submit a report to Council that outlines how the final zoning by-law amendment applicable to 2522- 2542 Keele Street facilitates a healthy neighbourhood and encourages a balance of high quality commercial and residential uses that reduce automobile dependency as well as comply with Section 2.3.1.2 (d), Section 2.3.1.3 and Section 2.3.1.4 (d) of the Official Plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Di Giorgio".

Frank Di Giorgio