

City Council**Notice of Motion**

MM38.12	ACTION			Ward:27
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Correcting Floor Space Index Permissions in Amending Zoning By-laws 1252-2017 and 1253-2017 Enacted by Council Pursuant to Item TE27.5 - 295-349 George Street - Official Plan and Zoning Amendment Applications - by Councillor Kristyn Wong-Tam, seconded by Councillor Janet Davis

** Notice of this Motion has been given.*

** This Motion is subject to a re-opening of Item TE27.5. 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 Kristyn Wong-Tam, seconded by Councillor Janet Davis, recommends that:

1. City Council delete Part 2 of its decision on Item TE27.5.

Part to be deleted:

2. City Council direct the City Solicitor to request the Ontario Municipal Board to modify Official Plan Amendment 82 for the lands at 295-349 George Street substantially in accordance with Attachment 7 to the report (September 19, 2017) from the Director, Community Planning, Toronto and East York District.
2. City Council amend By-law 1252-2017 to remove the reference to a permitted maximum Gross Floor Area substantially in accordance with the draft corrective Zoning By-law Amendment in Attachment 1 to this Motion.
3. City Council amend By-law 1253-2017 to permit a maximum Floor Space Index of 5.66 substantially in accordance with draft corrective Zoning By-law Amendment in Attachment 2 to this Motion.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft corrective Zoning By-law Amendments as may be required.
5. City Council determine through the adoption of these recommendations that, pursuant to Section 34(17) of Planning Act, no further notice is to be given in respect to the changes to the by-laws amending By-law 1252-2017 and By-law 1253-2017.

Summary

At its meeting on November 7, 8 and 9, 2017, City Council adopted Item TE27.5 regarding the proposed Official Plan and Zoning By-law Amendments for 295-349 George Street to permit the George Street Revitalisation project. The George Street Revitalisation project entails the demolition of the existing Seaton House and its replacement with a new 9-storey institutional building.

In Part 2 of its decision, City Council directed the City Solicitor to request the Ontario Municipal Board to modify Official Plan Amendment 82 for the lands at 295-349 George Street substantially in accordance with Attachment 7 to the report (September 19, 2017) from the Director, Community Planning, Toronto and East York. However, the Ontario Municipal Board's Final Decision and Order regarding the appeals of Official Plan Amendment 82 is pending and no evidence was advanced at the hearing about the George Street Revitalisation project. The Notice of Statutory Public meeting included the proposed site specific Official Plan Amendment, so there are no statutory impediments to Council enacting the site specific Official Plan Amendment pursuant to Part 1 of the decision, after the Ontario Municipal Board has issued its decision on Official Plan Amendment 82.

This Motion will delete the direction to the City Solicitor to request the Ontario Municipal Board to modify the Official Plan for the lands at 295-349 George Street.

The Final Report statement on page 5: "the gross floor area would be 44,068 m² which equates to a Floor Space Index of 6.66" has two typos in the numbers. The actual required maximum Gross Floor Area is 47,237 square metres and the corresponding Floor Space Index is 5.66.

This Motion will approve correcting amendments to By-law 1252-2017 that will remove the reference to a permitted maximum Gross Floor Area and rely on building setbacks to control the built form and to By-law 1253-2017 to permit a maximum permitted Floor Space Index of 5.66. The different amendments reflect the different treatment of density control in the general Zoning By-laws 438-86 and 569-2013.

Requires Re-opening

Item TE27.5 - November 7, 8 and 9, 2017 City Council meeting only as it pertains to references to requesting the Ontario Municipal Board to modify Official Plan Amendment 82, as well as the Gross Floor Area and Floor Space Index in the Zoning By-laws.

Background Information (City Council)

Member Motion MM38.12

<http://www.toronto.ca/legdocs/mmis/2018/mm/bgrd/backgroundfile-113433.pdf>

Attachments 1 and 2 Draft Corrective Zoning By-law Amendments

<http://www.toronto.ca/legdocs/mmis/2018/mm/bgrd/backgroundfile-113434.pdf>