

City Council

Notice of Motion

MM41.18	ACTION			Ward:12
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**Mediation and the Relevant Zoning By-law Amendment - 2522-2542
Keele Street - by Councillor Frank Di Giorgio, seconded by Councillor
John Campbell**

** Notice of this Motion has been given.*

** This Motion is subject to a re-opening of Item EY28.3. 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 Frank Di Giorgio, seconded by Councillor John Campbell, recommends that:

1. City Council advise the Local Planning Appeal Tribunal prior to the mediation session or the hearing commencing on June 19, 2018 that City Council has not approved, directly, a site plan agreement registered on title prior to the site plan approval by the Ontario Municipal Board on March 9, 2017 that would be in conformity with Section 24(2) of the Planning Act.

Summary

In a transparent planning process, affected parties participate in the process and rely on full disclosure, fair procedures and fair treatment to ensure a fair outcome. As a matter of normal practice, Council achieves fair outcomes by promoting good planning that avoids problems by implementing Section 37 policies in the Official Plan that are consistent with and respect Section 37 of the Planning Act.

On July 19, 2013, City Council did not generally support an increase in density and height beyond the threshold of 10,000 m² for the mixed use building at the subject site. This position was reinforced by the Etobicoke York Community Council decision of September 10, 2013, that was consistent with and implemented the Ontario Municipal Board decision issued on August 27, 2013 that respected the Official Plan in place at the time the decision was made by Council.

There were subsequent Ontario Municipal Board amendments that culminated in a decision issued on March 9, 2017 that resulted in a problematic development approval that exceeded the threshold of 10,000 square metres for the mixed use building and also included commercial parking relief on grade in violation of Section 6A(6)g of the former North York Zoning By-law 7625. Generally, modifications that result in density and height increases beyond the existing zoning by-law permissions will be subject to mandatory Section 37 community benefits.

These outstanding concerns that remain unresolved will hopefully be settled at the anticipated mediation session on June 19, 2018.

Requires Re-opening

Item EY28.3 - City Council April 24, 25, 26 and 27, 2018.

Background Information (City Council)

Member Motion MM41.18