

**City Council****Motion Without Notice**

MM44.91	ACTION			Ward:9
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**3100 Keele Street - Authorization for Submission of Minor Variance Application - Councillor Maria Augimeri, seconded by Councillor David Shiner**

*\* 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 Maria Augimeri, seconded by Councillor David Shiner, recommends that:

1. City Council authorize, pursuant to Sub-section 45 (1.4) of the Planning Act, submission of a minor variance application in regard to 3100 Keele Street for relief from the By-law requirements of By-law 1032-2018(OMB) and 1033-2018(OMB).

**Summary**

Among changes under the Smart Growth for Our Communities Act, 2015 (Bill 73) that came into final effect on July 1, 2016, Sub-sections 45. (1.3) and 45. (1.4) of the Planning Act as now amended prevent submission of minor variance applications on properties subject to a privately-initiated zoning by-law amendment within two years of by-law enactment, unless the municipal council has otherwise "declared by resolution that such an application is permitted".

With regards to the proposed development at 3100 Keele Street, the Ontario Municipal Board (OMB) decision PL141473 dated September 11, 2015 approved Zoning By-law amendments to former City of North York By-law 7625 and By-law 569-2013, for a revised proposal to develop the site with a 12-storey building having a 10 and 6 storey component, a total of 328 residential units and 383 vehicular parking spaces.

The Ontario Municipal Board withheld its order pending receipt of an executed Section 37 Agreement between the owner and the City of Toronto, and such agreement was finalized on May 23, 2017, and the Ontario Municipal Board Order bringing into force the Zoning By-law amendments was issued on July 12, 2017.

The owner has now determined that modifications are required to correct a few oversights regarding the design and functionality of the proposed building. As a result, minor modifications are required to building height, building setbacks, proposed indoor amenity space, parking and area of the mechanical penthouse. The modifications will include the

addition of 20 affordable housing units.

Under the Planning Act as amended, however, this owner will not be able to file for a minor variance application for zoning relief on these matters until July 12, 2019, thus delaying site redevelopment for a further two years and causing the owner undue project delay and financial hardship.

As the proposal would result in an improvement to the functioning of the proposed development and not otherwise modify the remaining development standards established through the rezoning of this property, City Council's authorization for submission of a minor variance application at this time is warranted.

**Background Information (City Council)**

Member Motion MM44.91