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## City Council

### Motion without Notice

MM44.122	ACTION			Ward:18
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**158 Sterling Road - Direction to Staff for Local Planning Appeal Tribunal Hearing Regarding Draft Plan of Subdivision - by Councillor Ana Bailão, seconded by Councillor Gord Perks**

*\* 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 Ana Bailão, seconded by Councillor Gord Perks, recommends that:

1. In advance of the Local Planning Appeal Tribunal hearing on the appeal of the Draft Plan of Subdivision, scheduled to be heard September 20 and 21, 2018 (Local Planning Appeal Tribunal File PL170393), City Council authorize the Chief Planner and Executive Director, City Planning and the City Solicitor and any required staff to work with the applicant/appellant to resolve any outstanding issues in respect of the appeal based on the following:

a. Prior to registration of the Plan of Subdivision, the Owner shall either:

1. make arrangements satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services, the General Manager, Transportation Services and the Director of Real Estate Services to address all issues related to the closing of a portion of existing Perth Avenue and its proposed realignment and shall complete construction of the realigned portion of Perth Avenue; or

2. make arrangements related to closure as set out in Part 1.a.1. above but with appropriate provision to allow registration of the plan and secure the construction of the realigned portion of Perth Avenue through a standard letter of credit to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, provided that the realigned portion of Perth Avenue is constructed prior to use or occupancy of any block within the plan of subdivision unless otherwise agreed by the Chief Planner and Executive Director, City Planning;

b. the Owner shall, to the satisfaction of the General Manager, Parks, Forestry and Recreation and in accordance with subdivision conditions, convey a pathway not less than 10 metres in width between the WTR and proposed realigned Perth Avenue following the completion of the construction of the Perth Avenue realignment; and

c. allowance for flexibility such that, prior to the registration of the draft plan of subdivision, the Owner may apply for and receive permits for the purposes of excavation, shoring and below grade construction within certain blocks as appropriate, consistent with phasing and provided the requirements of Toronto Building have been otherwise satisfied.

### **Summary**

The purpose of this Motion is to provide direction to the City Solicitor and staff for the upcoming hearing before the Local Planning Appeal Tribunal (File PL170393) regarding the lands collectively known as "158 Sterling Road."

This matter requires urgent direction as the hearing is scheduled for September 20 and 21, 2018 in connection with the Plan of Subdivision.

### **Background Information (City Council)**

Member Motion MM44.122