
City Council

Notice of Motion

| | | | | |
|-------|--------|--|--|----------|
| MM2.1 | ACTION | | | Ward: 20 |
|-------|--------|--|--|----------|

3655 Kingston Road - Authorization for Submission of Minor Variance Application - by Councillor Gary Crawford, seconded by Councillor Shelley Carroll

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Scarborough Community Council. A two-thirds vote is required to waive referral.*

Recommendations

Councillor Gary Crawford, seconded by Councillor Shelley Carroll, recommends that:

1. City Council authorize, pursuant to Subsection 45(1.4) of the Planning Act, submission of a minor variance application in regard to 3655 Kingston Road to various zoning provisions including but not limited to the gross floor area, floor space index and lot coverage requirements of former Scarborough Village Community Zoning By-law 10010 and City of Toronto Zoning By-law 569-2013, respectively.

Summary

Under the Smart Growth for Our Communities Act, 2015 (Bill 73) which came into final effect on July 1, 2016, Subsections 45(1.3) and 45(1.4) of the Planning Act, as amended, prevent the 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".

In the case of 3655 Kingston Road, City Council on October 2, 3 and 4, 2017 enacted By-laws 1083-2017 and 1084-2017 approving owner-initiated amendments to former Scarborough Village Community Zoning By-law 10010 and City of Toronto Zoning By-law 569-2013, respectively. The new zoning provides for redevelopment of this site with a 9-storey residential building containing 99 dwelling units.

The Zoning By-laws considered by City Council were based on incorrect site statistics provided by the applicant that do not implement the approved development. Toronto Buildings has recently identified several zoning non-compliances which require approval of a minor variance application at the Committee of Adjustment to implement the development approved at City Council. These include gross floor area, floor space index and lot coverage.

Under the Planning Act as now amended, however, this owner will not be able to file for a minor variance application for zoning relief in this regard until October 5, 2019, thus delaying site redevelopment for a further year causing the owner undue financial hardship.

As the proposed development, including built form and the use of the land, is for the most part largely the same as that which City Council considered and approved at its meeting on October 2, 3 and 4, 2017, City Council's authorization for submission of a minor variance application at this time is warranted.

Background Information (City Council)

Member Motion MM2.1

<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-123809.pdf>