

City Council

Motion without Notice

MM3.22	ACTION			Ward: 4
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248 and 260 High Park Avenue - Authorization for Submission of Minor Variance Application - by Councillor Gord Perks, seconded by Councillor Kristyn Wong-Tam

**** 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 Gord Perks, seconded by Councillor Kristyn Wong-Tam, 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 248 and 260 High Park Avenue for relief from the By-law requirements of Site Specific Zoning By-law No.'s 1397-2017 and 1398-2017.

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 248 and 260 High Park Avenue, City Council at their meeting of July 4, 2017 approved Zoning By-law amendments to former City of Toronto By-law no. 438-86 and City of Toronto Zoning By-law No. 569-2013, to permit the redevelopment of the properties at 248 and 260 High Park Avenue with a 4-storey (19.8 m total, including a 5.2 m mechanical penthouse) residential apartment building, including the adaptive re-use of a vacant place of worship. A portion of the existing place of worship and a single-detached dwelling (248 High Park Avenue) would be demolished. Site Specific Zoning By-law No.'s 1397-2017 and 1398-2017 were also adopted without amendment by City Council at the July 4, 2017 meeting.

Since that time, the owner has been working with staff on the Site Plan Control application which has resulted in some minor modifications to fine-tune the design of the site and correct a couple of oversights regarding the landscape width beside the driveway, the setback to the stairwell to the below grade parking in the south west corner of the site and the design of the vehicle access. The modifications will not affect the density, built form, massing, number of

units, amount of parking or general layout of the site. 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 4, 2019, thus delaying site redevelopment for a further five months and causing the owner undue project delay and financial hardship. As the proposed variances do not modify the remaining development standards established through the rezoning of this property and would result in an improvement to the functioning of the proposed development, City Council's authorization for submission of a minor variance application at this time is warranted.

Background Information (City Council)

Member Motion MM3.22