

## City Council

### Motion without Notice

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| MM6.30 | ACTION |  |  | Ward: 11 |
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**Request for Relief from the By-law Requirements of Site Specific Zoning By-law 504-2018 and By-law 505-2018 for 2-8 Cumberland Street and 826-834 Yonge Street - by Councillor Mike Layton, seconded by Deputy Mayor Denzil Minnan-Wong**

*\* 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 Mike Layton, seconded by Deputy Mayor Denzil Minnan-Wong, 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 2-8 Cumberland Street and 826-834 Yonge Street for relief from the By-law requirements of Site Specific Zoning By-law 504-2018 and By-law 505-2018.

### 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 2-8 Cumberland Street and 826-834 Yonge Street, City Council at their meeting of April 27, 2018 approved Zoning By-law amendments to former City of Toronto By-law 438-86 and City of Toronto Zoning By-law 569-2013, to permit a 51-storey mixed-use building (162.5 metres plus a 7.5 metre mechanical penthouse). The development will retain the facades of the heritage buildings on Yonge Street.

Since that time, the owner has been working with staff on the Site Plan Control application. The applicant is seeking some minor modifications to the design of the site which result in a modest increase in the residential Gross Floor Area, but does not increase the total Gross Floor Area of the building. As well, the applicant is seeking a reduction to the required number of vehicle parking spaces. The modifications will not affect the density, built form, massing, number of units, 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 April 27, 2020. This matter is urgent as the applicant is anxious to proceed with the development.

**Background Information (City Council)**

Member Motion MM6.30