

City Council**Notice of Motion**

MM9.9	ACTION			Ward: 2
-------	--------	--	--	---------

2 Gibbs Road - To Permit Applications for Minor Variances - by Councillor Stephen Holyday, seconded by Councillor Brad Bradford

** Notice of this Motion has been given.*

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

Recommendations

Councillor Stephen Holyday, seconded by Councillor Brad Bradford, recommends that:

1. City Council, pursuant to Subsection 45(1.4) of the Planning Act, permit applications for minor variances with respect to the property municipally known as 2 Gibbs Road for relief from the Zoning Code and site-specific By-laws in order to amend the associated development standards as they relate to gross floor area.

Summary

Among changes under the Smart Growth for Our Communities Act, 2015 (Bill 73) that 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 the By-law enactment, unless the municipal council has otherwise "declared by resolution that such an application is permitted".

In the case of 2 Gibbs Road, site specific By-laws adopted by City Council on February 1, 2018 provide for redevelopment of the site with 1,480 residential units (including 387 rental units) and a total of 1,730 parking spaces within a below and above grade garage. The proposed total gross floor area is 105,600 square metres, of which 6,800 square metres would be composed of non-residential uses. The development would have a Floor Space Index of 3.97 times the lot area. Phase 1 of the development consists of two 10-storey residential rental buildings with retail uses at grade on the eastern portion of the site, a playground area as a privately-owned publicly-accessible open space (POPS), a one way driveway at the eastern property limit, a new central private road accessed from Gibbs Road and one 31-storey residential condominium tower above a 4-storey podium containing eight at-grade residential units on the northwestern portion of the site.

Subsequent phases include two residential condominium towers (43 and 37 storeys in height) above a 4-storey podium containing retail and office space and six at-grade residential units

with a central garden (POPS) on the western portion of the site.

In a letter to the City Planning on June 28, 2019, the applicant noted that they had revised the floor to ceiling heights in the earlier phases and created larger units than anticipated. In the later phases, the applicant desires to revise the floor to ceiling heights and to create larger units. In doing so, the applicant plans to include additional floors within the previously approved height limit, resulting in additional gross floor area beyond that which has been approved. The applicant has also indicated that despite the additional requested floor area, the project will result in fewer residential units overall, and a higher percentage of three bedroom units.

Under the Planning Act, as now amended, this land owner will not be able to file for a minor variance application to the Committee of Adjustment, Etobicoke York District, for zoning relief in this regard until February 2020, thus delaying site redevelopment and further restricting the availability for family housing and causing the owner undue financial hardship.

As a result, City Council's authorization for submission of a minor variance application at this time is warranted. While the minor variance process may be the appropriate process, this resolution is not intended to and does not relay Council's endorsement of the merits of the application.

Background Information (City Council)

Member Motion MM9.9

(June 28, 2019) Letter from the Director, Edilcan Development Corporation
(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-135747.pdf>)