

City Council

Motion without Notice

MM9.49	ACTION			Ward: 10
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19 Duncan Street and 219-225 Adelaide Street West - To Permit Application for Minor Variances - by Councillor Joe Cressy, 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 Joe Cressy, seconded by Councillor Kristyn Wong-Tam, 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 19 Duncan Street and 219-225 Adelaide Street West, for relief from By-laws 170-2018 (OMB) and 171-2018 (OMB), in order to vary development standards related to lot line setbacks, building height, outdoor amenity space and parking space rates.

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 19 Duncan Street, the privately initiated Zoning By-law Amendment (170-2018 (OMB) and 171-2018(OMB)), provide for the redevelopment of the site with a 58-storey mixed-use building containing office, hotel and residential uses. The Local Planning Appeal Tribunal issued its order enacting the By-laws on January 22, 2018.

The development contains a nine-storey base building with a 49-storey tower on top. The owner proposed to nominally increase the floorplate of the office use on the 10th floor of the building by bumping out the south-facing elevation by 3.8 metres towards the south property line. The residential outdoor amenity space previously proposed in this area is thereby reduced in size, triggering variances to the site-specific By-laws. Additionally, the bump-out results in variances to the lot line setbacks and building heights as shown on the height maps attached to the By-laws and the increased office gross floor area results in variances to the vehicular

parking rates. No variances to the total building gross floor area are required and the overall building height has remained unchanged.

Under the Planning Act, as amended, this land owner will not be able to file for a minor variance application to the Committee of Adjustment, Toronto and East York District, for zoning relief until after January 22, 2020, thus delaying site redevelopment.

As a result, City Council's authorization for submission of a minor variance application at this time is required. This resolution is not intended to, and does not, relay Council's endorsement of the merits of the minor variance application.

Background Information (City Council)

Member Motion MM9.49