

City Council

Motion Without Notice

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| MM11.29 | ACTION | | | Ward: 13 |
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245 to 285 Queen Street East, 348-412 Richmond Street East, 78 to 106 Ontario Street and 8-12 Brigden Place - City Solicitor Attendance at Local Planning Appeal Tribunal Hearing - Application for Consent to Sever - by Councillor Kristyn Wong-Tam, seconded by Councillor Gord Perks

** 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 Kristyn Wong-Tam, seconded by Councillor Gord Perks, recommends that:

1. City Council direct the City Solicitor to attend the Local Planning Appeal Tribunal to request that the conditions contained in the October 29, 2019 Memorandum from the Manager, Development Engineering, Toronto and East York District regarding 245 to 285 Queen Street East, 348-412 Richmond Street East, 78 to 106 Ontario Street and 8-12 Brigden Place, be imposed and that the conditions are appended to the Tribunal's Order.
2. City Council authorize the City Solicitor to take all steps necessary to bring resolution to the appeal, in consultation with the Ward Councillor and the Chief Planner and Executive Director, City Planning.

Summary

On January 2, 2019, Richmond Residential Limited Partnership (the "Owner") applied to the Toronto and East York Committee of Adjustment for consent to sever the lands at 245-283 Queen Street East, 348-354 Richmond Street East and 106-110 Ontario Street into two lots (the "Application"). The Application is filed as Committee Application B0002/19TEY.

On February 19, 2019, the Manager, Development Engineering, Toronto and East York District, submitted a memorandum to the Committee recommending that the Application was premature and requested that the Committee not schedule a hearing date.

On June 27, 2019, the Owner appealed the Application to the Toronto Local Appeal Body for the failure of the Committee to make a decision on the Application within 90 days, pursuant to Section 53(14) of the Planning Act.

The Appeal was forwarded to the Local Planning Appeal Tribunal, as an Official Plan Amendment appeal and Zoning By-law Amendment appeal related to the Application had previously been made to the Local Planning Appeal Tribunal and has not yet been finally disposed of . The decision of City Council relating to the Official Plan Amendment and Zoning By-law Amendment Appeal can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.CC44.36>

The Manager, Development Engineering, Toronto and East York District has since issued an updated memorandum respecting the Application. Development Engineering no longer has any objection to the Application, so long as the conditions outlined in the October 29, 2019 Memorandum are satisfied by the Owner.

This matter is time sensitive and urgent as the hearing of the Appeal at the Local Planning Appeal Tribunal is scheduled for Thursday, October 31, 2019, and the City Solicitor requires instructions.

Background Information (City Council)

Member Motion MM11.29

<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-139427.pdf>

(February 19, 2019) Memorandum from the Manager, Development Engineering, Toronto and East York District on 245 to 285 Queen Street East, 348-412 Richmond Street East, 78 to 106 Ontario Street and 8-12 Brigden Place

<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-139428.pdf>

(October 29, 2019) Memorandum from the Manager, Development Engineering, Toronto and East York District on 245 to 285 Queen Street East, 348-412 Richmond Street East, 78 to 106 Ontario Street and 8-12 Brigden Place

<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-139496.pdf>