

City Council**Motion Without Notice**

MM13.22	ACTION			Ward: 13
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545-601 Sherbourne Street and 3-7 Howard Street - Technical Amendment to By-laws 1528-2019, 1529-2019 - by Councillor Kristyn Wong-Tam, seconded by Councillor John Filion

** 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.*

Bills 1754 and 1755 have been submitted on this Item.

Recommendations

Councillor Kristyn Wong-Tam, seconded by Councillor John Filion, recommends that:

1. City Council amend By-law 1528-2019 to correct a technical error in reference to the timing of delivery of Base Park Improvements in accordance with Attachment 1 to Motion MM13.22.
2. City Council amend By-law 1529-2019 to correct a technical error in reference to the timing of delivery of Base Park Improvements in accordance with Attachment 2 to Motion MM13.22.
3. City Council direct the City Solicitor to bring forward to Council's meeting of December 17 and 18, 2019 for enactment by Council, by-laws to make the changes noted in Recommendation 1 above to By-law 1528-2019, and Recommendation 2 above to By-law 1529-2019.
4. City Council determine through the adoption of this Motion that, pursuant to Section 34(17) of the Planning Act, no further notice is necessary.

Summary

At its meeting held on March 27 and 28, 2019, City Council adopted Toronto and East York Community Council Item TE4.13, which recommended amendments to the former City of Toronto Zoning By-law 438-86 and the City of Toronto Zoning By-law 569-2013 to permit redevelopment of 545-601 Sherbourne Street and 3-7 Howard Street at height and density greater than otherwise permitted in the former City of Toronto Zoning By-law 438-86 and the City of Toronto Zoning By-law 569-2013, in exchange for the provision of such facilities, services, and matters otherwise set out in the By-law. City Council enacted By-laws 1528-2019 and 1529-2019 at its meeting on March 27 and 28, 2019 to permit the development.

It has come to City Planning's attention that Appendix 1 to both By-laws, regarding Section 37 benefits, must be revised to correct the timing of the delivery of Base Park Improvements for parkland that is to be conveyed and/or leased to the City under the terms of the Section 37 agreement. This change is a technical change to the By-laws to clarify the timing of delivery of Base Park Improvements and makes the By-laws consistent with the Final Report that was before Community Council during the statutory public meeting and before City Council in the Final Report. It is therefore appropriate that the technical amendments as set out in the Recommendations be made to By-laws 1528-2019 and 1529-2019 without the need for any further public notice.

This is an urgent matter since the by-law was enacted in March of 2019, the Section 37 agreement to be entered into between the applicant and the City requires amended direction from Council, the Section 37 agreement must be registered on title for the issuance of building permits, and further delay may cause hardship to the applicant.

Background Information (City Council)

Member Motion MM13.22

Attachment 1 - Draft By-law to amend Zoning By-law 1528-2019

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-141259.pdf>)

Attachment 2 - Draft By-law to amend Zoning By-law 1529-2019

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-141260.pdf>)