

## City Council

### Notice of Motion

MM22.26	ACTION			Ward: 10
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**149 - 157 Bathurst Street - Amendment to Conditions of Final Approval of Zoning Amendment (Item 2018.TE34.29) - by Councillor Joe Cressy, seconded by Councillor Mike Layton**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Toronto and East York Community Council. A two-thirds vote is required to waive referral.*

### Recommendations

Councillor Joe Cressy, seconded by Councillor Mike Layton, recommends that:

1. City Council amend Item TE34.29 by:
  - a. deleting Part 3.c.

Part to be deleted:

3.c. the owner has submitted a construction management plan to the satisfaction of the Director, Community Planning, Toronto and East York District, in consultation with the Ward Councillor, and thereafter shall implement the plan during the course of construction; the Construction Management Plan will include, but not be limited to, the size and location of construction staging areas, location and function of gates, information on concrete pouring, lighting details to ensure that safety lighting does not negatively impact adjacent residences, construction vehicle parking and queuing locations, refuse storage, site security, site supervisor contact information, a communication strategy with the surrounding community, vibration monitoring for the integrity of neighbouring buildings, and any other matters requested by the Director, Community Planning, Toronto and East York District, in consultation with the Ward Councillor.

and adopting instead the following:

3.c. the owner has submitted an Interim Construction Management Plan addressing the proposed demolition of the existing residential buildings at 149 – 157 Bathurst Street to the satisfaction of the Director, Community Planning, Toronto and East York District, in consultation with the Ward Councillor. The Interim Construction Management Plan will include, but not be limited to, the location of site fencing, vehicle access, signage and flag person staging; and

b. adopting the following new Part 10:

10. City Council direct the Director, Community Planning, Toronto and East York District, to ensure that the applicant has submitted a Construction Management Plan to the satisfaction of the Director, Community Planning, Toronto and East York District, in consultation with the Ward Councillor, through the Site Plan Approval process, and thereafter has implemented the plan during the course of construction; the Construction Management Plan will include, but not be limited to, the size and location of construction staging areas, location and function of gates, information on concrete pouring, lighting details to ensure that safety lighting does not negatively impact adjacent residences, construction vehicle parking and queuing locations, refuse storage, site security, site supervisor contact information, a communication strategy with the surrounding community, vibration monitoring for the integrity of neighbouring buildings, and any other matters requested by the Director, Community Planning, Toronto and East York District, in consultation with the Ward Councillor.

## **Summary**

The Local Planning Appeal Tribunal rendered a decision on April 23, 2019, approving in principle the application to amend Zoning By-law 438-86 and Zoning By-law 569-2013 to permit the development of a 19-storey mixed-use building on the development site located at 149, 151, 153, 155 and 157 Bathurst Street, currently occupied by three rental dwelling units, following City Council's adoption of the applicant's settlement offer on July 23, 2018 (Item 2018.E34.29). The Local Planning Appeal Tribunal withheld its final order of approval until confirmation that certain conditions requested by Council are met.

One of the conditions of final approval requested by Council is that the owner submit a detailed construction management plan to the satisfaction of the Director, Community Planning, Toronto and East York District, in consultation with the Ward Councillor, and thereafter implement the plan during the course of construction.

Since the Local Planning Appeal Tribunal's decision, the Development Site has been acquired by Allied Properties REIT, an adjacent property owner. The new owner is seeking to finalize the approval. At this time, however, the new owner does not intend to proceed with the construction of the approved 19-storey mixed-use building. Rather, it wishes to consolidate the Development Site with its adjacent holdings and submit a new application for the larger site.

In light of the above, this Motion proposes to expedite the issuance of the final order of the Local Planning Appeal Tribunal by requiring the new owner, as a condition of the issuance of the Local Planning Appeal Tribunal's final order, to submit an interim construction management plan addressing only the demolition of the existing residential buildings on the Development Site. This Motion also proposes that, in the event the construction of the 19-storey mixed-use building proceeds as approved, a detailed construction management plan be secured at a later stage, through the Site Plan Approval process.

## **Background Information (City Council)**

Member Motion MM22.26