

City Council**Motion without Notice**

MM36.41	ACTION			Ward: 9
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1494-1502 Dundas Street West - Zoning Amendment Application (Ward 9) - by Councillor Ana Bailao, seconded by Councillor Frances Nunziata

** This Motion has been deemed urgent by the Chair.*

** This Motion is subject to a re-opening of Item TE24.5. A two-thirds vote is required to re-open that Item. If re-opened, the previous Council decision remains in force unless Council decides otherwise.*

Recommendations

Councillor Ana Bailao, seconded by Councillor Frances Nunziata, recommends that:

1. City Council delete Part 4 c. iii. of Item TE24.5, adopted by City Council at its meeting of May 5 and 6, 2021, and replace it with the following revised Part 4 c. iii.:

"prior to the issuance of the first above grade building permit, the owner shall enter into an off-site services agreement securing the provision of one shared loading space – Type G for the lands municipally known in 2021 as 1494-1502 Dundas Street West".

2. City Council add the following Part 4 c. iv. to Item TE24.5, adopted by City Council at its meeting of May 5 and 6, 2021:

"Prior to the earlier of six (6) months after condominium registration, or three (3) years after the issuance of the first above-grade building permit, the owner shall register, on title, easements to provide access to and use of one shared loading space - Type G between the lands municipally known in 2021 as 1494-1502 Dundas Street West and 646 Dufferin Street and 1 – 3 Boland Lane, to the satisfaction of the General Manager, Transportation Services."

3. City Council determine that no further notice is to be given in respect of the proposed by-law under section 34(17) of the Planning Act.

Summary

On May 5 and 6, 2021, City Council adopted Item TE24.5 to permit a mixed-use development fronting onto Dundas Street West. The approval includes a shared Type-G loading space with the rezoning application at 646 Dufferin Street and 1 – 3 Boland Lane., also adopted by City Council at its meeting on May 5 and 6, 2021, as Item TE24.4. As part of Item 24.5, City

Council required the owner to both enter into an off-site services agreement and to register an easement in order to share the Type G loading space between the two separate developments. Given the ownership structure of the two developments, the timing approved by City Council was not feasible. After working with the applicant, City staff are satisfied with the new timing requirement.

This Motion is brought forward to authorize the change in the timing for the provision of the easement in the draft zoning by-law amendments, attached as Attachments 5 and 6 to the Report (March 29, 2021) from the Director of Community Planning, Toronto and East York District, and to determine that no further notice is to be given in respect of the proposed by-laws under subsection 34(17) of the Planning Act.

Background Information (City Council)

Member Motion MM36.41