

City Council

Motion without Notice

MM45.37	ACTION			Ward: 3
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Authorization for the Submission of a Minor Variance Application — 5207 Dundas Street West - by Councillor Mark Grimes, seconded by Councillor Ana Bailão

** Notice of this Motion has not been given. A two-thirds vote is required to waive notice.*
** This Motion is subject to referral to the Etobicoke York Community Council. A two-thirds vote is required to waive referral.*
** This Motion has been deemed urgent by the Chair.*

Recommendations

Councillor Mark Grimes, seconded by Councillor Ana Bailão, recommends that:

1. City Council authorize, pursuant to Sub-section 45 (1.4) of the Planning Act, submission of a minor variance application in regard to 5207 Dundas Street West for relief from the parking, location of the width and northern gateway to the mid-block pedestrian connection, and stepback requirements within By-laws 825-2021 and 826-2021.

Summary

Among changes under the Smart Growth for Our Communities Act, 2015 (Bill 73) that came into final effect on July 1, 2016, Sub-sections 45. (1.3) and 45. (1.4) of the Planning Act as now amended prevent submission of minor variance applications on properties subject to an owner-initiated zoning by-law amendment within two years of by-law enactment, unless the municipal council has otherwise "declared by resolution that such an application is permitted".

The City-owned site at 5207 Dundas Street West one of 11 sites approved by City Council in January 2019 for inclusion in Phase One of the Housing Now Initiative. This site is located in Ward 3, Etobicoke Lakeshore.

City Council at its meeting on July 14, 15, and 16, 2021 approved Zoning By-law amendments to By-law 569-2013 (By-law 825-2021) and the former City of Etobicoke Zoning Code Chapter 320 and Zoning By-law 1088-2002 (By-law 826-2021). The Zoning By-law amendments facilitate the developments on three of the publically-owned blocks that were created through the decommissioning of the Six Points Interchange and the City's significant infrastructure investment to support the development of Etobicoke Centre as a vibrant mixed-use transit-oriented community. 5207 Dundas Street West, or Block 1 of the development, contemplates a mixed-use development consisting of two towers with approximately 624 dwelling units, 33 percent of which would be affordable rental units.

As part of the approval, the minimum parking space requirements are as follows:

- a minimum of 0.3 parking spaces and a maximum of 0.48 parking spaces for each dwelling unit for residential occupants;
- a minimum of 0.1 parking spaces for each dwelling unit for residential visitors; and
- a minimum of 1.0 parking spaces for each 100 square metres of gross floor area for non-residential uses, except that no parking spaces are required for a community centre or day nursery.

In addition, as part of the approval, a gateway to a mid-block pedestrian connection with minimum width of 11.0 metres is required along Dundas Street West and the Tower 2 on the development requires a 2.8 metre stepback at 73 metres, resulting in tapering of the tower in the upper storeys.

The development partner leasing Block 1 has requested permission to apply to the Committee of Adjustment for minor variances to reduce required parking consistent with by-law 89-2022 “parking requirements for new residential developments”, re-orient the location and vary the width of the mid-block pedestrian connection, and eliminate the required stepback for Tower 2 at 73 metres. City Planning supports consideration of the requested variances.

Under the Planning Act as amended, however, the development partner will have to wait until July 16, 2023 to file for a minor variance application, in the absence of City Council’s authorization to file for a minor variance application. Waiting until July 2023 represents a significant delay to the approvals process for this investment in new affordable rental housing through the Housing Now Initiative. City Council's authorization for submission of a minor variance application at this time is warranted.

This Motion is urgent as it will facilitate the process required to approve the development of a Housing Now site, providing over 200 new affordable housing units in Etobicoke Centre.

Background Information (City Council)

Member Motion MM45.37