

City Council

Notice of Motion

MM47.41	ACTION			Ward: 12
---------	--------	--	--	----------

145-155 Balmoral Avenue - Technical Amendment to By-law 816-2021 and By-law 817-2021 - by Councillor Josh Matlow, seconded by Councillor Mike Colle

** 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 Josh Matlow, seconded by Councillor Mike Colle, recommends that:

1. City Council:
 - a. amend By-law 816-2021 by replacing Map 2 attached to the By-law with the revised Map 2 attached to Motion MM47.41; and
 - b. amend By-law 817-2021 by replacing Diagram 3 attached to the By-law with the revised Diagram 3 attached to Motion MM47.41.
2. City Council direct the City Solicitor to bring forward to City Council's meeting of July 19 and 20, 2022 for enactment by Council, By-laws to make the changes noted in Part 1 above to By-laws 816-2021 and 817-2021.
3. City Council determine that, pursuant to Section 34(17) of the Planning Act, no further notice is to be given in respect of the changes to By-laws 816-2021 and 817-2021.

Summary

At its meeting held on December 16, 17, and 18, 2020 City Council adopted Toronto and East York Community Council Item TE21.5 which recommended amendments to City of Toronto Zoning By-laws 438-86 and 569-2013 to permit redevelopment of 145-155 Balmoral Avenue as a retirement and nursing home for seniors in a 13-storey building. City Council enacted By-laws 815-2021, 816-2021 and 817-2021 to permit the development.

It has come to City Planning's attention that two building setbacks were inadvertently omitted from the height map of the implementing By-laws. The proposed technical amendments correct this oversight with explicit setback requirements from Balmoral Avenue and the south property line. Additionally, following more detailed site plan review of the building the owner has also requested minor reductions to the setback from the east property line so the setback will be 0.8 – 10.0 metres from the lot line (whereas the previous by-law required a 1.0-10.5 metre

setback). The building has not changed in any material way from what was approved by City Council.

It is therefore appropriate that the technical amendments as set out in this Motion be made to By-law 816-2021 and 817-2021 without the need for any further public notice.

This is an urgent matter as the owner is preparing to begin construction and ambiguity in the Zoning By-law may introduce delay in obtaining building permits.

Background Information (City Council)

Member Motion MM47.41

Revised Map 2 and Revised Diagram 3

(<https://www.toronto.ca/legdocs/mmis/2022/mm/bgrd/backgroundfile-228735.pdf>)