

City Council

Notice of Motion

MM3.6	ACTION			Ward: 24
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4097 Lawrence Avenue East and 197 to 201 Galloway Road - Technical Amendment to By-law 251-2022 - by Councillor Paul Ainslie, seconded by Deputy Mayor Jennifer McKelvie

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Scarborough Community Council. A two-thirds vote is required to waive referral.*

Recommendations

Councillor Paul Ainslie, seconded by Deputy Mayor Jennifer McKelvie, recommends that:

1. City Council amend Diagram 4 to By-law 251-2022 by replacing with the diagram attached as Schedule A to this motion.
2. City Council amend By-law 251-2022 and Exception CR 463 by replacing Site Specific Regulation (M) with the following:

(M) Despite Regulation 40.10.40.80(2)(A), the required minimum above-ground distance between two main walls with windows is 5.0 metres;
3. City Council direct the City Solicitor to bring forward to City Council's meeting on February 7, 2023 for enactment by Council, a by-law to make the change noted in Recommendation 1 above to By-law 251-2022.
4. 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-law 251-2022.

Summary

At its meeting held on March 9, 2022, City Council adopted Scarborough Community Council Item SC30.2, which recommended amendments to the City of Toronto Zoning By-law 569-2013 to permit the redevelopment of 4097 Lawrence Avenue East and 197 to 201 Galloway Road at a height and density greater than otherwise permitted in the City of Toronto Zoning By-law 569-2013 in exchange for the provision of such facilities, services, and matters otherwise set in the by-law and Section 37 agreement. City Council enacted By-law 251-2022 at its meeting on March 9, 2022 to permit the development. A technical and stylistic amendment is required to correct an error that has come to City Planning's attention since the by-law was enacted:

- An amendment to Section 40.10.40.80.2(A) is required to permit a minimum 5.0 metres separation between main walls with windows, rather than 5.9 metres to accommodate the

north-south portion of the elbow in the proposed development. The incorrect separation distance does not correctly match the Council approved rezoning application, and associated Site Plan drawing as detailed in the Final Report. The building envelope has not changed and continues to match that of Diagram 4 as set out in By-law 251-2022.

-Diagram 4 in By-law 251-2022 incorrectly depicts the main wall setback dimension as set out above, resulting in an internal setback that does not correctly match the Council approved rezoning application, and associated Site Plan drawing as detailed in the Final Report;

City Planning is of the opinion that the technical amendments to By-law 251-2022 as set out in the Recommendations are appropriate, are good planning and do not require any further public notice.

This is an urgent matter since the by-law was enacted almost a year ago and further delay may cause hardship to the applicant.

Background Information (City Council)

Member Motion MM3.6

<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-234112.pdf>

Attachment 1 - Schedule A

<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-234208.pdf>