

City Council

Motion without Notice

MM7.31	ACTION			Ward: 13
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77-83 Mutual Street - Extension of Part Lot Control Exemption - by Councillor Chris Moise, seconded by Councillor Diane Saxe

** 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 Toronto and East York Community Council. A two-thirds vote is required to waive referral.*
** This Motion has been deemed urgent by the Chair.*

Recommendations

Councillor Chris Moise, seconded by Councillor Diane Saxe, recommends that:

1. City Council enact a By-law to extend Part Lot Control Exemption for the lands municipally known as at 77-83 Mutual Street for an additional two-year period from the expiry date of By-law 668-2021, in accordance with the draft By-law in Attachment 1.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft By-law as may be required.
3. City Council authorize and direct the appropriate City Officials to register the By-law on title.
4. City Council require the owner to provide proof of payment of all current property taxes for the subject lands to the satisfaction of the City Solicitor, prior to the enactment of the Part Lot Control Exemption By-law.

Summary

In October 2016, the Ontario Municipal Board approved both the Zoning By-law Amendment and the Site Plan to allow for a 36-storey mixed use building on the Subject Lands and the expansion of the existing low-rise office building at 75 Mutual Street (a former townhouse converted for office use). In 2019, the amending Zoning By-laws (By-laws 1611-2019 and 1612-2019) were adopted by City Council.

On May 26, 2020 an application was submitted to permit an exemption from Part Lot Control for the subject site. The application was approved by City Council November 25 and 26, 2020, as Item 2020.TE20.4. The request was required to facilitate the creation of Five (5) conveyable lots. The Subject Lands are within a registered plan of subdivision and are therefore subject to Part Lot Control.

The application has been requested by the owner to permit the division of the Subject Lands and the constructed 36-storey building into a number of stratified parcels, enabling the

applicant to transfer title for the aforesaid stratified portions of the Subject Lands along with easements to facilitate the implementation of the development. In 2020, project had been divided into 5 parts, being a commercial freehold lot on the floor, the Commercial parking garage, the rental replacement dwelling units, the shared condominium and amenity spaces, and the residential condominium. At this time, only the commercial parking garage has not yet been sold.

This Motion recommends that the Part Lot Control exemption, which will expire on July 16, 2023, be extended for an additional two years to allow for the completion of this project. This Motion is urgent as the part lot control exemption by-law will expire before the next City Council meeting.

Background Information (City Council)

Member Motion MM7.31

Attachment 1 - Draft By-law

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-237405.pdf>)