

City Council

Notice of Motion

MM8.10	ACTION			Ward: All
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Re-opening and Amending Item 2023.CC7.14 - 100 Davenport Road - Ontario Land Tribunal Hearing - Request for Directions - by Councillor Dianne Saxe, seconded by Deputy Mayor Jennifer McKelvie

** Notice of this Motion has been given.*

** This Motion is subject to a re-opening of Item 2023.CC7.14. 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.*

** This Motion relates to a Toronto Local Appeal Body hearing and has been deemed urgent.*

Recommendations

Councillor Dianne Saxe, seconded by Deputy Mayor Jennifer McKelvie, recommends that:

1. City Council amend its previous decision on Item 2023.CC7.14 by adding the following instructions to staff:

1. City Council request the General Manager, Transportation Services to review and report back on the feasibility of amending Schedule B of the City of Toronto Municipal Code Chapter 925, Permit Parking, to exclude the development located at 100 Davenport from Permit Parking.

2. City Council direct the Chief Planner and Executive Director, City Planning in consultation with the local Ward Councillor and the City Solicitor to continue to work with the applicant to explore the feasibility of providing an in-kind community benefit pursuant to 37(6) of the Planning Act, and to report back to City Council for further instruction if the applicant offers such an in-kind community benefit.

3. City Council request that the owner make reasonable commercial efforts to convey off-site parkland to the City equal to the value of the on-site parkland dedication, in fulfilment of the parkland dedication requirements pursuant to Section 42 of the Planning Act, with the off-site parkland dedication to be acceptable to the General Manager, Parks, Forestry and Recreation and free and clear of any above or below grade encumbrances, with the exception of any encumbrances as may be otherwise approved by the General Manager, Parks, Forestry and Recreation, to be conveyed prior to the issuance of the first above grade building permit, as follows:

a. in the event that the off-site parkland dedication is less than the value of the on-site parkland dedication, then the owner will pay cash-in-lieu of parkland to make up for the shortfall in parkland dedication, prior to the issuance of the first above grade building permit; and

b. in the event that the owner is unable to provide an acceptable off-site parkland dedication to the City, the owner will be required to satisfy the parkland dedication requirement through the payment of cash-in-lieu.

Summary

At its meeting on June 14 and 15, 2023, City Council adopted Item CC7.14 and accepted a with-prejudice offer to settle an Ontario Land Tribunal appeal concerning 100 Davenport Road. By inadvertence, certain amendments were omitted from the approval. This is the first opportunity to reopen the approval to add them.

REQUIRES RE-OPENING:

Item 2023.CC7.14 (June 14, 2023) only as it pertains to the confidential instructions to staff made public on July 7, 2023.

Background Information (City Council)

Member Motion MM8.10