

City Council

Notice of Motion

MM19.17	ACTION			Ward: 11
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Amending Item 2022.TE34.40 to Secure Affordable Housing at 888 Dupont Street - by Councillor Dianne Saxe, seconded by Councillor Alejandra Bravo

** 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 Dianne Saxe, seconded by Councillor Alejandra Bravo, recommends that:

1. City Council amend its previous decision on Item 2022.TE34.40, headed “888 Dupont Street - Official Plan Amendment and Zoning Amendment Application - Final Report” by adopting the following new Part:

1. If the Committee of Adjustment approval of minor variance Application A0346/24TEY, regarding the property municipally known as 888 Dupont Street, is not appealed or, if an appeal, is upheld by the Toronto Local Appeal Body, City Council require the Owner, as a condition of approval for Application A0346/24TEY, to amend the draft Section 37 Agreement, pursuant to Section 37 of the Planning Act (as it read the day before the date Section 1 of Schedule 17 of the COVID-19 Economic Recovery Act, 2020 came into force), so as to implement the Committee’s decision in a manner, content, and form satisfactory to the City Solicitor and the Chief Planner and Executive Director, City Planning.

Summary

On July 19, 2022, City Council approved Official Plan and Zoning By-law amendments for the property known municipally as 888 Dupont Street (File 19 243242 STE 11 OZ), approving the re-development of the subject property (the “development approval”). City Council’s approval permitted increased height and density, et. al. for a 14-storey mixed-use building with live/home occupation permissions, including 20 affordable housing units and 2,028 square metres of non-residential uses, including retail, commercial, and light industrial uses.

A set of Section 37 Planning Act, community benefits were secured. The Owner’s provision of twenty new affordable rental housing dwelling units was one of the primary Section 37 community benefits to be secured in the Section 37 Agreement and in the site-specific Zoning By-law Amendment for the re-development. The Section 37 Agreement has not yet been executed by the parties nor registered on title.

Additionally, City Council approved the delivery of financial contributions, under the City's Open Door Housing Program, of approximately \$1,576,595.00 to assist the Owner to deliver the 20 affordable rental dwelling units. This financial incentive was approved to secure the affordability period of those 20 units for 40 years as opposed to 25 years (which would have been the affordability period if those units were secured solely through the Section 37 Agreement).

To accommodate refinements to the proposed building's design, the Owner submitted a minor variance application, under Section 45 of the Planning Act, to the Committee of Adjustment seeking variances to the existing site-specific Amending Zoning By-law. The City Planning staff report to the Committee, attached as Attachment 1 advised the Committee that Planning staff along with Housing staff are satisfied with the proposed minor variances. It is Community Planning staff's opinion that the revisions improve the previous wind conditions, and the public realm.

The Committee approved the application on June 5, 2024. The notice of decision is dated June 11, 2024. The proposed minor variances will allow the Owner to provide the affordable housing units within the proposed building. The Committee accepted Community Planning staff's recommendation to impose the following condition which authorizes amendments to the Section 37 Agreement previously authorized by Council:

“The Owner shall obtain approval from City Council for any changes required to the draft Section 37 Agreement and for a final Section 37 Agreement to be entered into and registered on title to the lands to the satisfaction of the Executive Director and Chief Planner, City Planning and the City Solicitor.”

This means that City Council must amend its previous Council recommendations to authorize amendments to the draft Section 37 Agreement.

The proposed changes to the draft Section 37 Agreement are: to delete the requirement of a percentage of the total residential gross floor area to determine the total number of new affordable rental housing units, and maintain the provision for 20 new affordable rental housing units; to delete the requirement to provide new affordable rental housing units at prescribed minimum unit sizes, and maintain the requirement to provide new affordable rental housing units at prescribed average unit sizes; and reduce the required car share spaces from three to two spaces.

Background Information (City Council)

Member Motion MM19.17

Attachment 1 - Planning Staff Report dated May 17, 2024

(<https://www.toronto.ca/legdocs/mmis/2024/mm/bgrd/backgroundfile-246846.pdf>)

Attachment 2 - Notice of Decision of the Committee of Adjustment regarding Application A0346/24TEY dated June 11, 2024

(<https://www.toronto.ca/legdocs/mmis/2024/mm/bgrd/backgroundfile-246845.pdf>)