

City Council

Motion without Notice

MM22.28	ACTION			Ward: 12
---------	--------	--	--	----------

91-101 Raglan Avenue - Technical Amendment to By-laws 1049-2022 and 1050-2022 by Councillor Josh Matlow, seconded by Councillor Mike Colle

** This Motion has been deemed urgent by the Chair.*

** This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

Recommendations

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

1. City Council amend Schedule C, Section 37 Requirements Provision A. (g) of By-law 1049-2022 by replacing 44.0 with 20.0 substantially in accordance with Attachment 1 to this Motion.
2. City Council amend Schedule A, Section 37 Requirements Provision A. (g) of By-law 1050-2022 by replacing 44.0 with 20.0 substantially in accordance with Attachment 2 to this Motion.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
4. City Council determine that pursuant to Subsection 34(17) of the Planning Act, no further public notice is to be given in respect of the proposed amendments to By-laws 1049-2022 and 1050-2022.

Summary

At its meeting held on July 19, 2022, City Council approved the Zoning By-law Amendment and Rental Housing Demolition applications to permit a mixed-use building at 91-101 Raglan Avenue 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 out in the By-laws and the Schedules to the By-law. City Council enacted By-laws 1049-2022 and 1050-2022 at its meeting on July 19, 20, 21 and 22, 2022 to permit the development.

Technical amendments are required to correct an error that has come to City Planning's attention since the By-laws were enacted with regard to the size of the Privately Owned Publicly-Accessible Space in the Schedules to By-laws 1049-2022 and 1050-2022.

A technical amendment is required to modify to the size of the Privately Owned Publicly-Accessible Space easement area from a minimum of 44.0 square metres to a minimum of 20 square metres in the Bylaws to accurately reflect the size of the Privately Owned Publicly-

Accessible Space easement area. This is to correct a mistake that the entirety of the Privately Owned Publicly-Accessible Space was located on private property due to an error on the architectural plans, whereas a portion of the planned Privately Owned Publicly-Accessible Space was located on public property. The eastern half of the Privately Owned Publicly-Accessible Space, approximately 20 square metres and located entirely on private property, will be considered as the Privately Owned Publicly-Accessible Space easement area. The western half, within the Raglan Avenue right-of-way, will remain under City ownership, and the City cannot grant an easement in favour of itself on its own lands. The 44.0 square metre space is intended to be located on both the public and private lands, originally described as the Privately Owned Publicly-Accessible Space, and will be constructed and designed as originally intended and noted in the Staff Report. The proposed development is not changing and these technical amendments are required to implement City Council's decision.

City Planning is of the opinion that the technical amendments to By-laws 1049-2022 and 1050-2022, as set out in the Recommendations are appropriate, are good planning and do not require any further public notice. There are no other changes to the approved Zoning By-laws and all other Section 37 requirements will remain unchanged.

The reason for urgency is that the applicant is imminently about to execute the Sec 37 Agreement but this minor metric needs to be corrected. They cannot obtain Site Plan approval without resolving this Zoning By-law Amendment and approval requirement.

Background Information (City Council)

Member Motion MM22.28

(<https://www.toronto.ca/legdocs/mmis/2024/mm/bgrd/backgroundfile-249381.pdf>)

Attachment 1 - Draft Amendment to Bylaw 1049-2022

(<https://www.toronto.ca/legdocs/mmis/2024/mm/bgrd/backgroundfile-249372.pdf>)

Attachment 2 - Draft Amendment to Bylaw 1050-2022

(<https://www.toronto.ca/legdocs/mmis/2024/mm/bgrd/backgroundfile-249373.pdf>)

Attachment 3 - Updated POPS Plan

(<https://www.toronto.ca/legdocs/mmis/2024/mm/bgrd/backgroundfile-249374.pdf>)