

## City Council

### Motion without Notice

MM22.37	ACTION			Ward: 18
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### **5220 Yonge Street - Amendment of Section 37 Planning Act Agreement - by Councillor Lily Cheng, seconded by Councillor Jamaal Myers**

*\* 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 Lily Cheng, seconded by Councillor Jamaal Myers, recommends that

1. City Council adopt the confidential instructions to staff contained in the Confidential Attachment 1 to this motion.
2. City Council authorize the public release of the confidential instructions to staff contained in Confidential Attachment 1 to this motion, if adopted by City Council.
3. City Council direct that all other information contained in Confidential Attachment 1 to this motion is to remain confidential at the discretion of the City Solicitor, as it relates to litigation which affects the City.

#### **Summary**

On July 16, 2013, City Council adopted Item NY25.42, which amended the Official Plan and Zoning By-law for the lands at 5182-5192, 5200 and 5218 Yonge Street to permit the development of mixed used commercial and residential development.

As a condition of the density permitted by the Zoning By-law Amendment, the owner had agreed to provide certain facilities, services or matters as permitted under Section 37 of the Planning Act.

A copy of that decision is available here:

[Agenda Item History - 2013.NY25.42 \(toronto.ca\)](#)

A Section 37 Agreement was registered on title to the property at issue municipally known as 5220 – 5254 Yonge Street (the “Property”) on February 5, 2015. An Amending Agreement was entered into and registered on title on November 19, 2021 authorized by MM35.50, adopted by City Council on July 14, 15 and 16, 2021.

A copy of that decision is available here:

[Agenda Item History - 2021.MM35.50 \(toronto.ca\)](#)

This motion requests instructions from City Council related to the Section 37 Agreement applicable to the Property.

This motion is urgent as it relates to potential litigation for which action is required before the next meeting of City Council.

**Background Information (City Council)**

Member Motion MM22.37

Confidential Attachment 1 to motion by Councillor Lily Cheng