

City Council

Motion without Notice

MM29.17	ACTION			Ward: 13
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Re-Opening and Amending Item 2025.DM28.1 - 40-60 St. Lawrence Avenue - Ontario Land Tribunal Hearing - Request for Directions - by Councillor Amber Morley, seconded by Councillor Chris Moise

** This Motion has been deemed urgent by the Chair.
* This Motion is not subject to a vote to waive referral.
* This Motion is subject to a re-opening of Item 2025.DM28.1 only as it pertains to Part 2.j. of the instructions to staff. 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.*

Recommendations

Councillor Amber Morley, seconded by Councillor Chris Moise, recommends that:

1. City Council amend its previous decision on Item 2025.DM28.1 by deleting Part 2. j. of the instructions to staff:
2. City Council instruct the City Solicitor to request the Ontario Land Tribunal to withhold its Order until the City Solicitor has advised that:

Part to be deleted:

j. the owner and the City have made satisfactory arrangements to release the easement over the western portion of the site, more specifically described as Parts 13 and 14 on Plan 66R-29819.

Summary

On March 26, 2025, City Council instructed the City Solicitor to attend the Ontario Land Tribunal in support of Revised Plans filed by the applicant on January 2, 2025. City Council also instructed the City Solicitor to request that the Ontario Land Tribunal withhold its Order until the City Solicitor has advised that ten conditions have been fulfilled. The final condition that staff had recommended, and that City Council adopted, is that “the owner and the City have made satisfactory arrangements to release the easement over the western portion of the site [...]” This condition was added inadvertently and should be removed. The condition was appropriate in the context of negotiations with the applicant for a possible community space, which might have involved the release of the easement as a part of the deal for the community space. However, negotiations with the applicant on this point never materialized into a settlement offer, and so the condition is now unnecessary.

Background Information (City Council)

Member Motion MM29.17

