

DECISION AND ORDER

Decision Issue Date Thursday, July 22, 2021

PROCEEDING COMMENCED UNDER Section 45(12), subsection 45(1) of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Act")

Appellant(s): CITY OF TORONTO

Applicant(s): GLADKI PLANNING ASSOCIATES

Property Address/Description: 2 CHAMPAGNE DRIVE

Committee of Adjustment File

Number(s): 21 104192 NNY 06 MV

TLAB Case File Number(s): 21 122447 S45 06 TLAB

Hearing date: July 6, 2021

Deadline Date for Closing Submissions/Undertakings:

DECISION DELIVERED BY JUSTIN LEUNG

REGISTERED PARTIES AND PARTICIPANTS

Name	Role	Representative
Gladki Planning Associates	Applicant	
Champagne Centre Ltd	Owner/Party	Signe Leisk/Jennifer Evola
City of Toronto	Appellant	Adrienne DeBacker
Pauline Beaupre	Expert Witness	

INTRODUCTION

This is an Appeal from a decision of the North York Panel of the City of Toronto Committee of Adjustment (COA) which approved an Application to allow a series of Variances for 2 Champagne Drive.

The Variances, if allowed by the Toronto Local Appeal Body (TLAB), would permit the maintaining and legalization of the existing parking spaces and for alteration in the permitted uses for this property.

This subject property is located in the York University Heights neighbourhood in the former City of North York district which is situated north of Steepleck Drive and bounded by Chesswood Drive to the west and Dufferin Street to the east. The property is located on Champagne Drive, south of Finch Avenue West and north of Steepleck Drive.

At the beginning of the Hearing, I informed all Parties in attendance that I had performed a site visit of this subject property and the immediate neighbourhood and had reviewed all materials related to this Appeal but it is the evidence to be heard at the Hearing that is of importance.

BACKGROUND

The Variances requested are outlined as follows:

1. Section 33(5)(B), By-law 7625

The maximum size of retail, personal service and office space is the lesser of an FSI of 0.5 or 5,000.m² on a lot. Up to 15,000 m² of combined gross floor area for retail stores, personal service shops and/or office uses are proposed.

2. Section 6A(2), By-law 7625

The minimum required number of parking spaces is 769 spaces. The total parking spaces for any combination of uses provided that the GFA of retail stores, personal service shops and/or office uses on the lot does not exceed an area of 15,000 m² shall be 450 parking spaces.

These Variances were heard and approved at the February 11, 2021 COA meeting.

Subsequently, an Appeal was filed on July 13, 2020 by an Appellant, the City of Toronto. The TLAB set a Hearing date of July 6, 2021 for all relevant Parties to attend. Subsequently, the TLAB was notified that a preliminary settlement had been reached with all the Parties to the matter and the Hearing date was converted to an expedited settlement Hearing.

MATTERS IN ISSUE

The Applicant has engaged in a constructive dialogue with the Appellant to address issues as they relate to the subject proposal. These discussions have now resulted in a settlement proposal, in principle, being presented to the TLAB. With this, it is noted that there are no opposing Parties. While so, the *Planning Act* stipulates that once an Appeal is submitted to a Planning tribunal, that a *hearing de novo* must be held to consider all issues for this matter anew. Therefore, this Hearing is held to assess the Application, on its merits, and to determine if it meets the four statutory tests, as per s. 45(1) of the *Planning Act* and also if it meets the principals of good planning.

The subject property has Industrial Commercial Zone designation and has similar industrial and commercial type uses adjacent to it. The Tribunal will need to undertake a comprehensive review and analysis of the proposal to determine if it constitutes good planning and will be an appropriate form for development for this area.

JURISDICTION

Provincial Policy – S. 3

A decision of the Toronto Local Appeal Body ('TLAB') must be consistent with the 2014 Provincial Policy Statement ('PPS') and conform to the Growth Plan of the Greater Golden Horseshoe for the subject area ('Growth Plan').

Variance – S. 45(1)

In considering the applications for variances from the Zoning By-laws, the TLAB Panel must be satisfied that the applications meet all of the four tests under s. 45(1) of the *Planning Act*. The tests are whether the variances:

- maintain the general intent and purpose of the Official Plan;
- maintain the general intent and purpose of the Zoning By-laws;
- are desirable for the appropriate development or use of the land; and
- are minor.

Amended application

(18.1) On an appeal, the Tribunal may make a decision on an application which has been amended from the original application if, before issuing its order, written notice is given to the persons and public bodies who received notice of the original application under subsection (5) and to other persons and agencies prescribed under that subsection. 1993, c. 26, s. 56; 1994, c. 23, s. 26 (7); 2017, c. 23, Sched. 5, s. 80.

Exception

(18.1.1) The Tribunal is not required to give notice under subsection (18.1) if, in its opinion, the amendment to the original application is minor. 2017, c. 23, Sched. 5, s. 98 (5).

EVIDENCE

At the commencing of this Hearing, I indicated that evidentiary material had just been submitted to the TLAB by the Parties to this Appeal matter. It outlines a settlement proposal has been reached, and that the Parties are requesting the Tribunal review and consider this. I responded that, and if there were no objections, this be converted to a settlement Hearing to assess the merits of the settlement proposal being proffered. The Parties raised no objections on this basis.

The Appellant, as represented by City Solicitor Adrienne DeBacker, provided opening remarks by stating that she was attending the hearing with City Planner Pauline Beaupre, who would be providing expert witness testimony to the TLAB. The Minutes of Settlement had been filed with the Tribunal the day before this scheduled Hearing, in accordance with *TLAB Rules*. Ms. DeBacker stated that additional information relating to this settlement proposal could be explained by Jennifer Evola, legal counsel for the Applicant. In addition to the Minutes of Settlement, Expert Witness Statement and other related evidentiary material was also submitted in relation to this Appeal matter.

Jennifer Evola, of Cassels Brock & Blackwell LLP, then proceeded to provide her opening remarks to the TLAB. She stated that she is the legal counsel of the Applicant and raises no concerns with the evidentiary material which had recently been filed by the Appellant.

Ms. DeBacker then requested that Ms. Beaupre be called to provide testimony on this Appeal matter. She further indicated that it may be pertinent to undergo an initial review of Ms. Beaupre's qualifications, as provided in her curriculum vitae. I acknowledged and acceded to this request.

Ms. Beaupre began by indicating that since 2019, she has been a Senior Planner employed with the City of Toronto. Prior to this, she had been employed by the Ontario Growth Secretariat where she undertook work on a variety of provincial planning policies and documents such as the *Planning Act*, *Provincial Policy Statement* and the *Growth Plan for the Greater Golden Horseshoe*. She also conducted technical review work there, as it pertains to provincial policy documents as well. Currently, she is a Planner with the Official Plan (OP) team with the City. Part of her work here involves completing a Municipal Comprehensive Review (MCR), which is to ensure the City's OP is in conformance with the *Growth Plan*. She also provides advice on provincial policies to various stakeholders who are involved in City planning work. Ms. Beaupre further outlined that she has a Bachelor Degree in International Development from the University of Guelph and a Masters in Urban Planning from the University of Toronto.

Ms. Evola stated she had no issues or concerns with regards to the qualifications, as presented, by Ms. Beaupre. I responded that based on the information provided herein, that I was able to qualify Ms. Beaupre in the field of land use planning.

Ms. DeBacker requested that Exhibits be entered as part of the record for this Appeal matter. They were described, and accepted by the TLAB, as follows:

Exhibit 1: P. Beaupre Curriculum Vitae

Exhibit 2: Witness Statement of P. Beaupre

Exhibit 3: City Document Disclosure Book

Exhibit 4: Minutes of Settlement

Ms. Beaupre proceeded with her testimony to the Tribunal. She described the geographic location of the subject property, located within the old city of North York, and that it is situated within an employment area. Ms. Beaupre then outlined previous COA Applications which had been sought for this site. In 2014, a Variance Application had been applied, and approved, by the COA with regards to changing the parking standards for the subject property. In 2018, an additional Variance Application was submitted to allow an increase in the size/area permitted for retail, personal service and office space uses. This Application was subsequently approved by the COA, subject to conditions that the allowance of said uses would only be permitted for a 3 year timeframe. It is noted Planning staff comments for this Application also made such a recommendation. She also described the subject property as having an H holding provision, attached to this areas Zone designation, which acts to restrict the size/area for the aforementioned uses.

In December 2020, another Variance Application was submitted which was requesting that the temporary permissions, as granted as part of the 2018 Variance Application, now be permitted in perpetuity. The Applicant also sought an increase in the size/area for retail, personal service and office space uses by approximately 5000 square metres. Here, the City Planning staff recommended COA refuse the Application. However, if the COA elected to approve the Application, staff proposed a condition that the approval be provided for a one (1) year timeframe so that a Zoning By-law Amendment Application could be submitted by the Applicant. City Transportation staff recommended that the Application be deferred so that further clarifying information on the proposal, including a transportation study, could be provided to them for their review and consideration. In February 2021, the Applicant provided revised material which indicated they would be reducing the size/area for retail and personal service uses. However, the original request of office use would remain unchanged. Planning staff, while recognizing these changes, retained their original recommendation to not approve this Application.

COA elected to approve this Application. Subsequently, the City of Toronto filed an Appeal, within the prescribed 20 day appeal period, to the TLAB positing that the proposal did not meet the four tests for Variance, as per the *Planning Act*. Prior to the scheduled TLAB Hearing, the Appellant and Applicant have now reached a resolution in this matter, as reflected in the provided Minutes of Settlement. This settlement proposal was reached by making alterations to the Variance proposal, which are described as follows:

1. Section 33(5)(B), By-law 7625

The maximum size of retail, personal service and office space is the lesser of an FSI of 0.5 or 5,000.m² on a lot. Up to 15,000 m² of combined gross floor area for retail stores, personal service shops and/or office uses, shall be permitted for a period of up to 3 years, in the following combination: no more

than 3,000 sq. m. of retail and personal service shop and 12,000 sq. m. of office.,

2. Section 6A(2), By-law 7625

The minimum required number of parking spaces is 769 spaces. The total parking spaces for any combination of uses, provided that the gross floor area of retail stores, personal service shops and/or office uses on the lot does not exceed an area of 15,000 m², shall be 450 parking spaces for a period of up to 3 years.

Conditions of Approval

1. The Owner shall submit an application for a zoning by-law amendment that also includes a request for the removal of the holding provision set out in section 33(5)(b) of Former City North York Zoning By-law No. 7625 respecting 2 Champagne Drive, and may also include an associated site plan application, on or before December 31, 2021, or such further date that is up to three months following a decision of the Ontario Land Tribunal under s. 34 (10.5) of the Planning Act, R.S.O. 1990, c. P. 13, should a motion for direction be filed in accordance with s. 34(10.5) of the Planning Act, R.S.O. 1990, c. P. 13.

As noted here, these revised Variances are contingent on the Applicant submitting a Zoning By-law Amendment Application before the end of this year. This Application would specifically be to request the lifting of the H holding provision for these subject lands. An additional Site Plan Application may need to be submitted, if deemed necessary by City staff.

Ms. Beaupre opined that the *Planning Act* has prescribed significance for employment areas and for the preservation of such lands for employment uses. She contends that this revised proposal will now be consistent with said provisions. This revised proposal will also not compromise, in her opinion, the viability of this specific employment area. The temporary permission attached to this Variance Application, conditional on the submission of an additional Zoning By-law Amendment, also ensures that the integrity of this employment area will not be negatively impacted in the long term.

With regards to the *Provincial Policy Statement (PPS)*, she explains that the revised proposal will be consistent with the PPS employment use policies, even with the inclusion of retail. Ms. Beaupre opined that the PPS employment use policies strive to ensure office uses will be the predominant use for employment areas. She argues this revised proposal will continue to uphold the tenets of the PPS.

Proceeding to the *Growth Plan*, Ms. Beaupre explains that this Plan requires municipalities to plan and allocate for employment lands. As the City of Toronto is fully built out, there is a finite amount of employment land available. She argues that the revised proposal ensures that the subject lands are primarily deployed for office uses, with the retail use ancillary to it. Furthermore, the condition of approval for a Zoning By-law Amendment Application be submitted, for the H holding provision removal, will provide City staff additional means of engaging in a more detailed assessment of the employment situation for these lands.

In terms of OP, Ms. Beaupre argues that this revised proposal is consistent with the principles of the OP as both office and retail uses are permitted in employment areas. Furthermore, and had been discussed in her previous testimony, this proposal now attempts to limit the retail uses for this site and to, in effect, make it ancillary to the office use for the subject lands.

Ms. DeBacker then inquired as to why the 2006 OP policies continue to be in force and effect for these subject lands. Ms. Beaupre responded that due to an Appeal to Official Plan Amendment (OPA) 321, which is still outstanding at the Ontario Land Tribunal (OLT), that the 2006 OP policies continue to apply for these lands. OPA 321 was a *Growth Plan* conformity exercise which specifically focused on employment areas. Prior to OPA 321, the subject lands are designated as 'employment area'. With the introduction of OPA 321, there would now be two designations of 'core employment area' and 'general employment area'. The subject lands would have been designated 'general employment area', which would continue to permit office and retail uses.

Ms. Beaupre then proceeded to provide testimony on the subject proposal and how it interfaces with the Zoning By-law. She opines that with the subsequent Zoning By-law Amendment Application which the Applicant will be required to submit, City Transportation staff will be able to request additional parking studies for this site to be submitted by the Applicant. This will allow staff to conduct a more comprehensive analysis of the proposal to ensure it conforms with the intent of the Zoning By-law. Here, the subject lands also have a holding or H Zoning provision which acts to cap personal service and retail uses at a floor space index (FSI) no more than 0.5 or a combined gross floor area (GFA) of 5000 square metres. Office uses are also subject to identical FSI and GFA restrictions.

The H provision was put in place here to ensure that if there were any changes which acted to exceed the previously described caps, that through a requirement of submitting studies to staff, would be able to demonstrate the long-term viability of this employment area was not compromised. The submission of a Zoning By-law Amendment Application, as proposed within the Minutes of Settlement, will ensure a more thorough review and analysis is conducted which will ensure the overall integrity of the employment area here will not be adversely impacted due to the proposal being proffered here.

Ms. Beaupre opines that it is her professional opinion that the revised proposal, and the Minutes of Settlement, is appropriate and should be accepted and approved by the TLAB.

Ms. DeBacker asked Ms. Beaupre if she believes additional public notification needs to occur, due to revisions to the proposal. Ms. Beaupre responded that the revised Variances now being proffered, which include a restriction for the use and parking standards to be in effect for the next three (3) years, are minor and that additional public notification would not need to occur. Ms. Beaupre's testimony to the Tribunal concluded here.

Ms. Evola stated that she did not have any questions and would not be engaging in cross-examination of the Witness.

I proceeded with a series of questions for Ms. Beaupre. I asked if she was arguing that the revised Variance requests are of a decreased scale and impact as compared to the original Variances and, as such, no further public notification is necessary. Ms. Beaupre acknowledged this. I then inquired if Planning staff foresee any significant issues with the submission and review of the Zoning By-law Amendment Application, which is stipulated as a condition of approval. Ms. Beaupre commented that she does not believe there will be significant issues with that future submitted Application. The main impetus for requesting the submission of such an Application is to ensure proper studies are provided by the Applicant so that staff can conduct a more comprehensive analysis of the proposed changes to the site as presented by the Applicant. I then asked about the proposed condition and the wording contained within it which states that a potential Appeal could be submitted to the Ontario Land Tribunal (OLT). Ms. Beaupre responded that this wording was provided as there is a potential an Appeal could be filed to the OLT if there was disagreement on whether the submitted Zoning By-law Amendment Application was a complete submission or not.

The Hearing was then concluded with no further submissions made.

ANALYSIS, FINDINGS, REASONS

The TLAB recognizes that a concerted effort has been made by all the Parties to reach an amicable settlement proposal. The Applicant has engaged the Appellant in an attempt to address and incorporate their ideas/concerns in a tangible means within this proposal. It is noted that the Appeal which has been filed here was an initiative undertaken by the City of Toronto, which was done principally due to concerns relating to the potential erosion of the integrity of the employment area that this subject proposal is situated within. Excluding the Applicant, there are no other Parties to this Appeal matter. The evidentiary material and testimony of the City's Expert Witness was uncontroverted as well. As such, this Appeal matter is one which is of exclusive interest to two parties only, the Appellant and Applicant, which means there are no additional issues which would need to be assessed by the TLAB here.

The testimony, as proffered by the City's Expert Witness, focused principally on the City's position that the approval of the original Variance requests would act to irrevocably change the composition of this employment area. As the City of Toronto has achieved full build out of its lands, the Expert Witness contended that there are no additional employment areas which can be developed within the City's boundaries. As such, the existing employment areas must be protected from unnecessary changes to their composition which would act to decrease employment type uses within such areas. This is surmised in the Expert Witness Statement document which had been submitted to the TLAB:

"92. It is my professional opinion that the Revised Application, which includes granting the permissions on a temporary basis, as well as limiting retail and personal service to a maximum of 3,000 square meters, and on the condition that a zoning by-law amendment application are submitted on or prior to December

31, 2021 will not jeopardize the long term viability of the Employment Area and therefore meets the test of being minor in nature.”¹

This was also reiterated in the testimony of the Expert Witness at the Hearing. With the revised proposal that had been reached between the two Parties here, a consensus had been reached that this proposal, as reflected in the Minutes of Settlement, would constitute an appropriate form of development for these subject lands which would not act to infringe upon the continued viability of the employment area it is located within.

The revised Variance requests were presented to the TLAB with a temporal related restriction attached to them. Specifically, the Variance requests, if approved by the Tribunal, would be allowed to exist for the next three (3) years. The impetus for this time related restriction is that the Applicant, during this three (3) year timeframe would be able to submit a Zoning By-law Amendment Application to remove the Holding (H) provision which is attached to these subject lands. The Appellant has indicated that the changes to these Variance requests are minor and that the presiding member here should, as per S. 45(8.1) of the *Planning Act*, accept these changes. Here, the *Planning Act* provides discretionary power to an adjudicator to decide if changes to a proposal are, in their opinion, appropriate and acceptable. If this is the finding the adjudicator, then no additional public notification has to occur and the Appeal Hearing can proceed.

As was explained by the Expert Witness, the changes to the Variance requests, in her opinion, results in a material decrease in the overall scale and impact of the proposal. The COA approval of the Variance requests had permitted changes to the use provisions and parking standards for the subject property in perpetuity. Here, the Minutes of Settlement, as proffered by the Appellant, and accepted by the Applicant, act to revise the Variance requests to allow them to exist in a temporary nature for the next three (3) years, so that the recommended condition of a Zoning By-law Amendment Application for the removal of the Holding (H) provision can be accomplished.

The Tribunal accepts the uncontroverted testimony of the Expert Witness here and finds that allowing this revised proposal would not act to harm the public interest. The revisions as presented will result in the Variances requested pertaining to use provisions and parking standards to exist on an interim basis so that the Applicant and City staff can undertake a more comprehensive analysis for proposed changes to this site through the submission of a Zoning By-law Amendment Application. Such an Application will have additional public processes that will need to be observed, in accordance with the *Planning Act*, which ensures the continued preservation of the public interest as well. The TLAB further finds that additional public notification on the revised Variance requests is not necessary as the proposal has now been materially decreased in scale and impact. It is further noted that during the COA and now TLAB processes, there are no other registered interested Parties to this matter, besides the Appellant and Applicant. As such, any further public notification at this stage would most likely not elicit significant comments or concerns, especially with the reduction in overall intensity of the Variance requests.

¹ Beaupre, P. *Expert Witness Statement of Pauline Beaupre*. July 2021, pp. 15

The Expert Witness' testimony provided a thorough accounting of how the proposal is consistent with provincial policy and legislation such as the *Provincial Policy Statement (PPS)* and *Growth Plan for the Greater Golden Horseshoe (Growth Plan)*, and also how it meets the four tests for Variance, as per the *Planning Act*. As has been noted previously in this document, the testimony as proffered was uncontroverted and the Applicant elected not to proceed with cross-examination of the Expert Witness. Within this dynamic, the general established practice of adjudicative tribunals is to accept the evidence as provided in a *prima facie* manner.

As there was no other evidentiary material or testimony from other expert witnesses or Parties here, the TLAB would have to rely on the material as provided by the Expert Witness retained by the City here. The Expert Witness has delineated that, in her opinion, this revised proposal will be consistent with employment use policies as promulgated in planning documents such as the PPS and *Official Plan (OP)*, as it will continue to ensure that the subject lands are oriented to principally be for office type uses. The other retail and personal service uses which the related Variance request describes would be ancillary. Ms. Beaupre's testimony was specific in outlining that the overall area being requested on the site for retail and personal service uses is less than the area as being proposed for office uses. With regards to the parking standard related Variance, Ms. Beaupre opined that any potential parking issues for the site will be mitigated as a subsequently submitted Zoning By-law Amendment Application will ensure that a more fulsome review can be undertaken by City staff through the submission of parking and transportation studies, which will be a requirement with the submission of said Application. In addition, as the parking standard Variance would be restricted to a three (3) year timeframe, this Variance, including the Variance request for use provisions, would cease in the near future, irrespective of the outcome of the Zoning By-law Amendment Application.

It is noted that in the disclosure documents as provided by the Applicant, they indicate that the Variance Application they have submitted is due to an agreement, in principle, to move some of North York General Hospital's medical services to this subject property. The City Planning report outlines this as follows:

"The letter outlines that there is interest in the site being a regional hub as an immunization centre for the Covid-19 pandemic. Further, the letter states that the proponent is "engaged" with the North York General Hospital regarding a 20 year lease agreement, and that there is potential for nuclear medicine on site. The request made here is to permit the requested variances to coincide with the length of the lease 2. Staff submit that it is not an established practice, nor desirable, to permit uses based on lease agreements.

Staff have made it clear to the proponent that they recognize the current public health emergency and will work expeditiously to review, consult and report on a complete rezoning application, which continues to be the required course of action for the submitted requests."²

² City of Toronto (2021, February 10). Supplemental Staff Report: 2 Champagne Drive. Retrieved from <http://app.toronto.ca/AIC/index.do?folderRsn=lvn00neCug0M4rBup9yMBQ%3D%3D>

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The Tribunal makes note of the intent for this proposal and that it is a use which is of significant public interest. The Province of Ontario continues to operate under an emergency period, due to the COVID-19 pandemic. While some of these emergency measures are beginning to be lifted, these will not be fully removed until broader vaccination of the populace occurs. I recognize the use being proposed for this site is of importance to the general public to ensure sufficient health services continue to be provided to residents. While so, I am cognizant that the proposal must be assessed in accordance with prescribed planning policies and legislation to ensure that it is an appropriate form of development for this local area context.

With the material which has presented to the TLAB, I find that the revised proposal, as reflected in the Minutes of Settlement, meet the four tests for Variance, as per *Planning Act*. The evidentiary material and testimony of the expert witness conclusively demonstrates that this proposal constitutes good planning and would not act to disrupt the existing characteristics of this local area. The three (3) year timeframe provided for the two Variance requests is an acceptable imposition as it would provide sufficient time for a Zoning By-law Amendment Application to be submitted, processed, and reviewed by City staff and Council.

At that stage, with the submission of this additional Planning Application, it will allow the City to conduct a more fulsome analysis to determine if the proposed changes to the site, which are currently being proposed on a temporary basis, would be appropriate to be imposed as a permanent measure. This interim approval will allow the Applicant to proceed with their initial agreement with North York General Hospital to allow important health services to be more immediately deployed to serve the public, while the Zoning By-law Amendment Application undergoes the necessary processes and procedures, as stipulated by the *Planning Act*.

With this, I have determined that the Minutes of Settlement, as presented to the TLAB, provides an appropriate mechanism by which to execute the above-noted issues in a deliberate and iterative manner, which will ensure the public interest, especially for the landlords and tenants of this particular employment area, are upheld and preserved. The proposed condition in the Minutes of Settlement has also been determined to be appropriate and will be implemented as part of this Decision to ensure that the subject lands will undergo a more vigorous assessment criteria through a Zoning By-law Amendment Application.

DECISION AND ORDER

The Appeal is allowed, and the Variances in Appendix 1 are approved subject to the conditions therein.

Appendix 1

List of proposed variances

1. Section 33(5)(B), By-law 7625

The maximum size of retail, personal service and office space is the lesser of an FSI of 0.5 or 5,000.m² on a lot. Up to 15,000 m² of combined gross floor area for retail stores, personal service shops and/or office uses, shall be permitted for a period of up to 3 years, in the following combination: no more than 3,000 sq. m. of retail and personal service shop and 12,000 sq. m. of office.,

2. Section 6A(2), By-law 7625

The minimum required number of parking spaces is 769 spaces. The total parking spaces for any combination of uses, provided that the gross floor area of retail stores, personal service shops and/or office uses on the lot does not exceed an area of 15,000 m², shall be 450 parking spaces for a period of up to 3 years.

List of proposed conditions

1. The Owner shall submit an application for a zoning by-law amendment that also includes a request for the removal of the holding provision set out in section 33(5)(b) of Former City North York Zoning By-law No. 7625 respecting 2 Champagne Drive, and may also include an associated site plan application, on or before December 31, 2021, or such further date that is up to three months following a decision of the Ontario Land Tribunal under s. 34 (10.5) of the Planning Act, R.S.O. 1990, c. P. 13, should a motion for direction be filed in accordance with s. 34(10.5) of the Planning Act, R.S.O. 1990, c. P. 13.

X 

Justin Leung
Panel Chair, Toronto Local Appeal Body