

13. Committee and Staff Reports

13.9 SRPI.21.115 – Request for Approval – Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications – 1430518 Ontario Inc. – 0 Elgin Mills Road East - City Files D01-18008, D02-16036 and D03-20003 (Related File D06-16091)

Moved by: Councillor Liu
Seconded by: Councillor Muench

a) That the revised Official Plan Amendment, Zoning By-law Amendment and draft Plan of Subdivision applications submitted by 1430518 Ontario Limited for lands known as Part of Lot 26, Concession 2, E.Y.S. (Municipal Address: 0 Elgin Mills Road East), City Files D01-18008, D02-16036 and D03-20003, be approved in principle, subject to the following:

- i) that the North Leslie Secondary Plan be amended to include site specific policies to increase the permitted building height and to revise the limits of the Natural Heritage System on the subject lands as outlined in Staff Report SRPI.21.115, and that the draft Official Plan Amendment attached as Appendix "C" be finalized and forwarded to a future meeting of Council for consideration and adoption;
- ii) that the subject lands be rezoned from Rural Residential Four (RR4) Zone under By-law 2325-68, as amended, to Neighbourhood Commercial (C1) Zone and Environmental Protection Two (EPA2) Zone under By-law 55-15, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPI.21.115;
- iii) that prior to forwarding the amending Zoning By-law to Council for consideration and enactment, the following take place:

(continued)



- a) that the draft Zoning By-law attached as Appendix “D” be finalized and updated to address the comments in Staff Report SRPI.21.115 to the satisfaction of the Commissioner of Planning and Infrastructure, including appropriate formatting, development standards and negotiated community benefits pursuant to Section 37 of the *Planning Act*;
- b) that the applicant’s Site Plan application (City File D06-16091) be substantially completed to the satisfaction of the Commissioner of Planning and Infrastructure;
- c) that confirmation be received that the applicant has registered restrictions over the subject lands under Section 118 of the *Land Titles Act*;
- iv) that pursuant to Section 34(17) of the *Planning Act*, Council deem that no further notice be required with respect to any necessary modifications to the draft Zoning By-law to implement the proposed development on the subject lands;
- v) that the Plan of Subdivision as depicted on Map 8 to Staff Report 21.115 be draft approved subject to the conditions set out in Appendix “E”;
- vi) that prior to draft approval being granted, the applicant pay the applicable processing fee in accordance with the City’s Tariff of Fees By-law 105-20, as amended;
- b) That Council authorize the Commissioner of Planning and Infrastructure to negotiate a Section 37 Community Benefits Package based on the revised development proposal as described in Staff Report SRPI.21.115, to be incorporated into the implementing Zoning By-law Amendment for the proposed development, to the satisfaction of the Commissioner of Planning and Infrastructure;

(continued)



c) That upon the recommendation of the Commissioner of Planning and Infrastructure, the Mayor and City Clerk be authorized to execute any agreements necessary to secure a Section 37 Community Benefits Package;

d) That staff report back to Council in the event there are challenges with finalizing the draft Zoning By-law, including a Section 37 Community Benefits Package; and,

e) That all comments concerning the applicant's related Site Plan Application (City File D06-16091) be referred back to staff.

Motion to Defer:

Moved by: Regional and Local Councillor Perrelli

Seconded by: Councillor Beros

a) That consideration of staff report SRPI.21.115, regarding the proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications submitted by 1430518 Ontario Inc. for 0 Elgin Mills Road East, be deferred to the February 9, 2022 Council meeting.

A recorded vote was taken:

In favour: (2): Regional and Local Councillor Perrelli, Councillor Beros

Opposed: (6): Acting Mayor DiPaola, Councillor Muench, Councillor Liu, Councillor West, Councillor Cilevitz, Councillor Chan

Motion to Defer Failed to Carry (2 to 6)

Motion to Amend:

Moved by: Regional and Local Councillor Perrelli

Seconded by: Councillor Muench

That the following additional Clause f) be added to the main motion:

f) That the balance of the cost of the traffic signal on Bayview Avenue not secured through the Section 37 Community Benefits package, be fully funded from City's Development Charges.

(continued)



A recorded vote was taken:

In favour: (8): Acting Mayor DiPaola, Regional and Local Councillor Perrelli, Councillor Beros, Councillor Muench, Councillor Liu, Councillor West, Councillor Cilevitz, Councillor Chan

Opposed: (0): None

Motion to Amend Carried Unanimously (8 to 0)

Main Motion as Amended:

Moved by: Councillor Liu
Seconded by: Councillor Muench

a) That the revised Official Plan Amendment, Zoning By-law Amendment and draft Plan of Subdivision applications submitted by 1430518 Ontario Limited for lands known as Part of Lot 26, Concession 2, E.Y.S. (Municipal Address: 0 Elgin Mills Road East), City Files D01-18008, D02-16036 and D03-20003, be approved in principle, subject to the following:

i) that the North Leslie Secondary Plan be amended to include site specific policies to increase the permitted building height and to revise the limits of the Natural Heritage System on the subject lands as outlined in Staff Report SRPI.21.115, and that the draft Official Plan Amendment attached as Appendix "C" be finalized and forwarded to a future meeting of Council for consideration and adoption;

ii) that the subject lands be rezoned from Rural Residential Four (RR4) Zone under By-law 2325-68, as amended, to Neighbourhood Commercial (C1) Zone and Environmental Protection Two (EPA2) Zone under By-law 55-15, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPI.21.115;

iii) that prior to forwarding the amending Zoning By-law to Council for consideration and enactment, the following take place:

(continued)



- a) that the draft Zoning By-law attached as Appendix "D" be finalized and updated to address the comments in Staff Report SRPI.21.115 to the satisfaction of the Commissioner of Planning and Infrastructure, including appropriate formatting, development standards and negotiated community benefits pursuant to Section 37 of the *Planning Act*;
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 - iv) that pursuant to Section 34(17) of the *Planning Act*, Council deem that no further notice be required with respect to any necessary modifications to the draft Zoning By-law to implement the proposed development on the subject lands;
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- b) That Council authorize the Commissioner of Planning and Infrastructure to negotiate a Section 37 Community Benefits Package based on the revised development proposal as described in Staff Report SRPI.21.115, to be incorporated into the implementing Zoning By-law Amendment for the proposed development, to the satisfaction of the Commissioner of Planning and Infrastructure;
- c) That upon the recommendation of the Commissioner of Planning and Infrastructure, the Mayor and City Clerk be authorized to execute any agreements necessary to secure a Section 37 Community Benefits Package;

(continued)



- d) That staff report back to Council in the event there are challenges with finalizing the draft Zoning By-law, including a Section 37 Community Benefits Package; and,
- e) That all comments concerning the applicant's related Site Plan Application (City File D06-16091) be referred back to staff;
- f) That the balance of the cost of the traffic signal on Bayview Avenue not secured through the Section 37 Community Benefits package, be fully funded from City's Development Charges.

A recorded vote was taken:

In favour: (7): Acting Mayor DiPaola, Regional and Local Councillor Perrelli, Councillor Beros, Councillor Muench, Councillor Liu, Councillor West, Councillor Chan

Opposed: (1): Councillor Cilevitz

Carried (7 to 1)