

City Council**Motion without Notice**

MM29.45	ACTION			Ward:42
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**5131 Sheppard Avenue East - Support for Minor Variance Application -
by Councillor Neethan Shan, seconded by Councillor Glenn De
Baeremaeker**

** 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 Neethan Shan, seconded by Councillor Glen De Baeremaeker, recommends that:

1. City Council express its support of City Planning's position set out in the Staff Report regarding 5131 Sheppard Avenue East (Municipal File No.: A0343/16SC), which concludes that the minor variance application is appropriate and should be approved.

Summary

Diamond Corp. (the "Developer") is proposing to develop lands currently owned by the City of Toronto and municipally known as 5131 Shepard Avenue East (the "Subject Site"). The Developer has applied to the Committee of Adjustment, Scarborough Panel, (the "Committee") for minor variances to the City-wide Zoning By-law 569-2013 and the Malvern Community Zoning By-law 14402 in order to permit a residential development with four 3-storey stacked townhouse buildings and three 6-storey apartment buildings and to be connected by one level of underground parking (the "Application"). The Application includes affordable home ownership units. The Application is known as Municipal File A0343/16SC.

City Planning, did a staff report to the Committee dated March 13, 2017, (the "Staff Report") concluded that the Application and proposed development were appropriate for the Subject Site. A copy of the Staff Report is attached.

On March 16, 2017, the Committee refused the Application (the "Decision"). The Developer has now appealed the Committee's Decision to the Ontario Municipal Board (the "Appeal"). The Appeal is known as Ontario Municipal Board File PL170430.

This Motion will allow City Council to express its support for the position of City Planning set out in the Staff Report, which concludes that the Application is appropriate and should be approved.

This matter is urgent as the Ontario Municipal Board hearing of the Appeal is scheduled for June 26, 2017.

Background Information (City Council)

Member Motion MM29.45

Committee of Adjustment Scarborough Panel Notice of Decision on application for Minor Variance/Permission for 5131 Sheppard Avenue East

<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-104288.pdf>

(March 13, 2017) Report from the Acting Director, Community Planning, Scarborough East District on 5131 Sheppard Avenue East

<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-104289.pdf>