

**City Council****Motion without Notice**

<b>MM43.38</b>	<b>ACTION</b>			Ward:12
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**1780 Lawrence Avenue West - Permitting an Application for Minor Variance - by Councillor Frank Di Giorgio, seconded by Councillor Cesar Palacio**

*\* 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 Frank Di Giorgio, seconded by Councillor Cesar Palacio, recommends that:

1. City Council authorize, pursuant to subsection 45(1.4) of the Planning Act, the submission of an application for a minor variance with respect to the property municipality known as 1780 Lawrence Avenue West for relief from Former North York Zoning By-law 7625, as amended and Toronto Zoning By-law 569-2013, as amended to permit the proposed use "second suite".

**Summary**

Among changes under the Smart Growth for our Communities Act, 2015 (Bill 73) that came into final effect on July 1, 2016, subsections 45 (1.3) and 45 (1.4) of the Planning Act, as now amended prevent submission of minor variance applications on properties subject to a privately initiated zoning by-law amendment within two years of the by-law enactment, unless the municipal council has otherwise "declared by resolution that such an application is permitted".

In the case of 1780 Lawrence Avenue West, City Council at its meeting on November 7, 8 and 9, 2017 enacted By-laws 1274-2016 and 1275-2017 approving owner-initiated amendments to former North York Zoning By-law 7625, as amended and City of Toronto Zoning By-law 569-2013, as amended, respectively. The new zoning provides for the redevelopment of the site with 40 street-related townhouses, 46 semi-detached dwellings and two detached dwellings. Each of the proposed townhouses and semi-detached units would have two vehicular parking spaces, one contained within an integral garage and one on a driveway leading to a garage. The two detached dwellings would have three parking spaces each, one in an integral garage and two in a driveway leading to the garage. The proposal also includes new public roads, a parkland dedication to the City of Toronto and a ravine land dedication of the Toronto and Region Conservation Authority.

Toronto Building Zoning Staff have determined that the proposed use "second suite" is not a permitted use under the zoning for the property.

Under the Planning Act as now amended, however, this owner will not be able to file for a minor variance application for zoning relief in this regard until November 9, 2019, thus delaying site redevelopment for a further year and causing the owner undue financial hardship.

As the proposal would not result in increased development density or otherwise modify the remaining development standards established through the rezoning of this property, City Council's authorization for submission of a minor variance application at this time is warranted.

**Background Information (City Council)**

Member Motion MM43.38