

City Council

Notice of Motion

MM6.2	ACTION			Ward: 14
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14 Dewhurst Boulevard - To Permit Applications for Minor Variances - by Councillor Paula Fletcher, seconded by Councillor Shelley Carroll

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Toronto and East York Community Council. A two-thirds vote is required to waive referral.*

Recommendations

Councillor Paula Fletcher, seconded by Councillor Shelley Carroll, recommends that:

1. City Council, pursuant to Subsection 45(1.4) of the Planning Act, permit an application for minor variances with respect to the property municipally known as 14 Dewhurst Boulevard for relief from the requirements of Former City of Toronto Zoning By-law 438-86, as amended by By-law 1085-2018, and from the requirements of City of Toronto Zoning By-law 569-2013, as amended by By-law 1086-2018, to amend the associated development standards as they relate to the number of required resident and visitor parking spaces.

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 amended, prevent the submission of minor variance applications on properties subject to a privately-initiated Zoning By-law Amendment within two years of By-law enactment, unless the municipal council has otherwise "declared by resolution that such an application is permitted".

On November 7, 2017, City Council considered and adopted the recommendations in the Final Report relating to the Official Plan and Zoning By-law Amendment applications for the property at 14 Dewhurst Boulevard. The site-specific Zoning By-laws for the development proposal were enacted on July 27, 2018.

The Zoning By-laws for 14 Dewhurst provide for redevelopment of the site with a four-storey residential apartment building and a public park that would serve as a mid-block connection through the site. In particular, the By-laws require a total of 25 parking spaces, 24 of which are in parking stackers for residents, and one surface parking space for visitors, which can accommodate a small car.

During the application review process, the application had proposed two surface parking spots,

one space for a resident and another space for a visitor. The visitor parking space was removed from the plans to accommodate the public park on site. The remaining surface parking spot is for a resident and would accommodate a small car, however, the approved By-laws show this small car parking spot for a visitor when it was meant for a resident.

A minor variance would be required to convert the surface parking space for visitors to a parking space for residents with a small car. The number and dimensions of the required resident parking spaces (25) would not change. The modifications that would be granted through a minor variance application would not affect the density, built form, massing, number of units, provision of parkland, or general layout of the site.

Under the Planning Act, as amended, however, this landowner will not be able to file for a minor variance application for zoning relief on these matters until July 30, 2020, thus delaying site redevelopment for a year and a half. As the proposed variances do not 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. While the minor variance process may be the appropriate process, this resolution is not intended to and does not relay Council's endorsement of the merits of the application.

Background Information (City Council)

Member Motion MM6.2