

## City Council

### Notice of Motion

MM47.24	ACTION			Ward: 2
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**3920 Bloor Street West - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Stephen Holyday, seconded by Councillor Mark Grimes**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Etobicoke York Community Council. A two-thirds vote is required to waive referral.*

*\* This Motion relates to a Toronto Local Appeal Body hearing and has been deemed urgent.*

### Recommendations

Councillor Stephen Holyday, seconded by Councillor Mark Grimes, recommends that:

1. City Council authorize and direct the City Solicitor to appeal the decision of the Committee of Adjustment to the Toronto Local Appeal Body in order to oppose the approval of the applicant's proposed development in Application A0283/22EYK respecting 3920 Bloor Street West.
2. City Council authorize and direct the City Solicitor, City Planning, and any other appropriate City staff to attend the Toronto Local Appeal Body hearing for 3920 Bloor Street West in order to oppose the approval of the minor variances requested through Application A0283/22EYK.
3. City Council authorize the City Solicitor to attempt to negotiate a resolution of the appeal, and City Council authorize the City Solicitor to resolve the matter on behalf of the City, in the City Solicitor's discretion, after consulting with the Ward Councillor and the Director, Community Planning, Etobicoke York District.

### Summary

This Motion will give the City Solicitor authority, along with appropriate City Staff, to appeal to the Toronto Local Appeal Body the Committee of Adjustment's decision to approve the minor variance application (the "Application") in respect of 3920 Bloor Street West (Application A0283/22EYK). This Motion will also give the City Solicitor authority to negotiate a settlement, if appropriate.

The Application proposes to construct a new rear yard car port. Two variances from City-wide Zoning By-law 569-2013 (the "Zoning By-law") are sought in the Application to facilitate this proposed construction: a. a variance from the permitted maximum lot coverage; and b. a variance from the required minimum rear yard soft landscaping. More specifically, the Application proposes that 9 percent of the rear yard be maintained as landscaping, whereas Section 10.5.50.10(3) of the Zoning By-law provides that a minimum of 50 percent of the rear

yard shall be maintained as landscaping.

On June 21, 2022, Planning Staff recommended that the Committee of Adjustment refuse the second variance pertaining to rear yard soft landscaping. Planning Staff were of the opinion that the lack of proposed rear yard soft landscaping does not fit with the prevailing neighbourhood character and does not respect the general intent and purpose of the Official Plan and Zoning By-law (see the Planning Staff Report in attached to this Motion).

On June 30, 2022, the Committee approved the requested minor variances (see the Committee of Adjustment's Notice of Decision attached to this Motion).

### **Background Information (City Council)**

Member Motion MM47.24

Committee of Adjustment Etobicoke York Panel Notice of Decision on application for Minor Variance/Permission for 3920 Bloor Street West

(<https://www.toronto.ca/legdocs/mmis/2022/mm/bgrd/backgroundfile-228655.pdf>)

(June 21, 2022) Report from the Director, Community Planning, Etobicoke York District on 3920 Bloor Street West

(<https://www.toronto.ca/legdocs/mmis/2022/mm/bgrd/backgroundfile-228656.pdf>)