

## City Council

### Motion without Notice

MM47.72	ACTION			Ward: 13
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**8 Elm Street and 348-354 and 356 Yonge Street - To Permit Application for Minor Variance - by Councillor Mike Layton, seconded by Councillor Robin Buxton Potts**

*\* Notice of this Motion has not been given. A two-thirds vote is required to waive notice.  
\* This Motion is subject to referral to the Toronto and East York Community Council. A two-thirds vote is required to waive referral.  
\* This Motion has been deemed urgent by the Chair.*

### Recommendations

Councillor Mike Layton, seconded by Councillor Robin Buxton Potts, recommends that:

1. City Council authorize, pursuant to Subsection 45(1.4) of the Planning Act, submission of a Minor Variance application with respect to the properties municipally known as 8 Elm Street and 348-354 and 356 Yonge Street for relief from site-specific Zoning By-law 214-2022(OLT) in order to vary the provision relating to location of the vehicular entrance to the site so that the By-law reflects the approved plans.

### Summary

In 2021, Zoning By-laws 438-86 and 569-2013 were amended to permit a mixed-use development on the property municipally known as 8 Elm Street and 348-354 and 356 Yonge Street. The development approval was for one tower including an on-site 471 square metres community facility. As the proposal has been advancing through the review for of an application for site plan control approval, Toronto Building has identified one area where the development does not comply with the approved site-specific zoning. Specifically, Toronto Building has identified a variance for the location of the vehicular entrance in relation to the lot line. The vehicle entrance is set back 0 metres from a lot line abutting a street, whereas the By-law requires the entrance to be set back 6 metres. The proposed vehicle entrance has always been shown in its current location, including on the approved rezoning drawings. To address this issue and advance the development, an application for a minor variance to the Committee of Adjustment is required.

### Background Information (City Council)

Member Motion MM47.72