



Date: January 4, 2023  
To: Members of Etobicoke York Community Council  
From: Councillor Stephen Holyday  
Subject: 102 Shaver Avenue North – Request for City Solicitor to Attend at the Toronto Local Appeal Body

---

I would like to request that the following item be added to the Etobicoke York Community Council Agenda.

### **SUMMARY:**

The applicant applied to the Committee of Adjustment requesting variances from City-wide Zoning By-law 569-2013 and site specific Zoning By-law 1992-23 (Application Number A0040/21EYK), including variances for gross floor area, building depth, building length, flat roofed dwelling height, platform area, elevation of the main pedestrian entrance, and parking space length. The applicant seeks to construct a new detached dwelling with an attached garage.

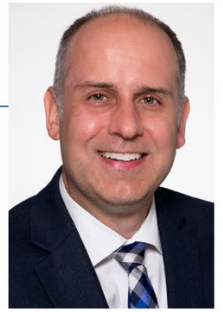
On October 13, 2022, the Etobicoke York District Panel of the Committee of Adjustment refused to grant the requested minor variances (Decision in Attachment 1). The applicant has appealed the refusal to the Toronto Local Appeal Body. A hearing of this appeal has been scheduled for February 21, 2023.

City Planning Staff recommended a modification to the proposed flat roof height to ensure the proposed building height fits within the neighbourhood context (Staff Report in Attachment 2).

This Motion will authorize and direct the City Solicitor to attend the Toronto Local Appeal Body, along with appropriate City staff, in order to oppose the Appeal. This Motion will also authorize the City Solicitor to resolve the matter on behalf of the City in her discretion.

### **RECOMMENDATIONS:**

1. City Council direct the City Solicitor to attend the Toronto Local Appeal Body, with appropriate City staff in order to oppose the Appeal regarding the proposed development at 102 Shaver Avenue N (Application A0040/21EYK).



2. City Council authorize the City Solicitor to attempt to negotiate a resolution of the Appeal for 102 Shaver Avenue N (Application A0040/21EYK) and City Council authorize the City Solicitor to settle the matter on behalf of the City at the City Solicitor's discretion after consultation with the Ward Councillor and the Director, Community Planning, Etobicoke York District.

Sincerely,

Stephen Holyday  
Councillor  
Ward 2, Etobicoke Centre

**ATTACHMENTS:**

Attachment 1: Notice of Decision of the Committee of Adjustment

Attachment 2: Planning Staff Report dated October 4, 2022