

City Council

Notice of Motion

MM6.18	ACTION			Ward: 5
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45 William Street - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Frances Nunziata, seconded by Councillor Mike Colle

** 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 Frances Nunziata, seconded by Councillor Mike Colle, recommends that:

1. City Council direct the City Solicitor and appropriate City Staff to attend the Toronto Local Appeal Body to oppose the Minor Variance Application A0031/23EYK respecting 45 William Street, as well as any other variances and relief that may be requested.
2. City Council authorize the City Solicitor to attempt to negotiate a resolution regarding Application A0031/23EYK, Toronto Local Appeal Body file 23 103530 WET 05 respecting 45 William Street, 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

On March 9, 2023, the Committee of Adjustment refused an application brought by an agent of the owner of 45 William Street for a variance to the provisions of the former City of Toronto Zoning By-law 438-86 to construct a garden suite in the rear yard (the "Application"). A copy of the Committee of Adjustment's decision is attached.

On March 27, 2023, the owner appealed the Committee of Adjustment's decision to refuse the Application to the Toronto Local Appeal Body.

In a report from the Director, Community Planning, Etobicoke York District dated February 28, 2023, Community Planning Staff opposed the Application. A copy of the Planning report is attached. Community Planning Staff opined that the Application fails to maintain the intent of the Zoning By-law and the Official Plan, is not minor in nature, and is not desirable for the appropriate development or use of the land.

This Motion will authorize the City Solicitor, along with appropriate City Staff, to attend the Toronto Local Appeal Body and oppose the appeal. A hearing date has been scheduled for July 11, 2023. A copy of the Notice of Hearing is attached.

Background Information (City Council)

Member Motion MM6.18

Committee of Adjustment Etobicoke York Panel Notice of Decision on application for Minor Variance/Permission/Consent for 45 William Street

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-236278.pdf>)

(February 28, 2023) Report from the Director, Community Planning, Etobicoke York District on 45 William Street

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-236279.pdf>)

Notice of Hearing

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-236280.pdf>)