

City Council

Notice of Motion

MM11.14	ACTION			Ward: 4
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2639R Dundas Street West - Request for City Solicitor to Attend at the Toronto Local Appeal Body- by Councillor Gord Perks, seconded by Deputy Mayor Ausma Malik

** 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.*

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

Recommendations

Councillor Gord Perks, seconded by Deputy Mayor Ausma Malik, recommends that:

1. City Council authorize the City Solicitor to both appeal and attend the Toronto Local Appeal Body as a party, with appropriate City staff, in order to oppose the Committee of Adjustment's Decision regarding the proposed development at 2639R Dundas Street West (Application A0555/23TEY).
2. City Council authorize the City Solicitor to attempt to negotiate a resolution and City Council authorize the City Solicitor to resolve the matter on behalf of the City at the City Solicitor's discretion after consultation with the Ward Councillor and the Director, Community Planning, Toronto and East York District.

Summary

The applicant applied to the Committee of Adjustment requesting variances from City-wide Zoning By-law 569-2013 (Application Number A0555/23TEY), including variances to the minimum required side yard setback, sidewall main height and floor space index. The applicant seeks to construct a 4-unit townhouse block with attached garages.

On August 16, 2023, the Toronto and East York District Panel of the Committee of Adjustment approved the requested minor variances, subject to three conditions (Decision in Attachment 1).

In its report dated August 9, 2023, City Planning Staff noted concerns as the proposed townhouse block does not have direct access to an existing street. The report states further concerns related to overall building height and sidewall main wall height. As a result, City Planning Staff recommended that the minor variance application be refused (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.

Background Information (City Council)

Member Motion MM11.14

Attachment 1: Notice of Decision of the Committee of Adjustment

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-239705.pdf>)

Attachment 2: Planning Staff Report dated August 9, 2023

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-239706.pdf>)