

City Council

Notice of Motion

MM13.14	ACTION			Ward: 2
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8-26 Jopling Avenue South - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Stephen Holyday, seconded by Councillor Vincent Crisanti

** 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 Vincent Crisanti, 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 8-26 Jopling Avenue South (Application A0269/23EYK).
2. City Council authorize the City Solicitor to retain outside consultants as necessary.
3. City Council authorize the City Solicitor to attempt to negotiate a resolution regarding Application A0269/23EYK respecting 8-26 Jopling Avenue South 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 Councillor, Ward 2, and the Director, Community Planning, Etobicoke York District.

Summary

The applicant applied to the Committee of Adjustment requesting variances from Site-Specific By-law 187-2022 (Application Number A0269/23EYK), including variances to height, maximum permitted gross floor area, maximum number of dwelling units, minimum number of parking spaces and amenity space.

Specific By-law 187-2022 zones the subject property to permit a mixed-use development consisting of two towers of 27-storeys (Tower A) and 33-storeys (Tower B) connected by a 4 to 6-storey base and providing a maximum of 688 dwelling units. The applicant seeks to increase the number of permitted dwelling units to 750, constructing a mixed-use development consisting of a 29-storey mixed use tower (Tower A) and a 38-storey mixed-use tower (Tower B) connected by a 6-storey base with amenity space above.

On November 9, 2023, the Etobicoke York District Panel of the Committee of Adjustment approved the requested minor variances, with conditions including an agreement pursuant to s.

45(9) of the Planning Act securing a cash contribution of \$484,500 (Decision in Attachment 1).

In its report dated November 2, 2023, City Planning Staff noted concerns with six of the ten variances relating to the proposed increase in height and gross floor area and the reduction in amenity space. Staff recommended that an agreement pursuant to s. 45(9) of the Planning Act be entered into, should the Committee of Adjustments approve the minor variance. (Staff Report in Attachment 2).

This Motion will authorize and direct the City Solicitor to appeal and to attend the Toronto Local Appeal Body, along with appropriate City staff, in order to oppose the Committee of Adjustment's decision. 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 MM13.14

Attachment 1 - Notice of Decision of the Committee of Adjustment regarding Application A0269/23EYK

<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-241414.pdf>

Attachment 2 - Community Planning, Etobicoke York District Staff Report dated on November 2, 2023

<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-241413.pdf>