

City Council

Notice of Motion

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| MM26.9 | ACTION | | | Ward: 10 |
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2 Tecumseth Street - Appeal of Committee of Adjustment Decision - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Deputy Mayor Ausma Malik, seconded by Councillor Paula Fletcher

** 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 Hearing and has been deemed urgent.*

Recommendations

Deputy Mayor Ausma Malik, seconded by Councillor Paula Fletcher, recommends that:

1. City Council direct the City Solicitor to appeal the Committee of Adjustment's decision regarding only Variances 3 and 4 pertaining to 2 Tecumseth Street (Application A0984/23TEY) and to attend the Toronto Local Appeal Body, with appropriate City staff.
2. City Council authorize the City Solicitor to negotiate a settlement of the appeal of the decision in Application A0984/23TEY respecting 2 Tecumseth Street and authorize the City Solicitor to settle the matter on behalf of the City at their discretion after consultation with the Ward Councillor and the Executive Director, Development Review.

Summary

This Motion will give the City Solicitor authority to appeal the Committee of Adjustment's decision approving the minor variance application for 2 Tecumseth Street (Application A0984/23TEY) (the "Application") and to attend the Toronto Local Appeal Body, along with appropriate City Staff, in order to oppose the Application.

The Application seeks minor variances to alter the development standards (as approved under Site Specific Zoning By-law 1336-2023), for the 33-storey and 26-storey mixed-use buildings approved for this site, by increasing the approved height, gross floor area, and maximum permitted projections of equipment and structures, and to reduce the minimum required parking spaces, loading spaces, building setbacks, and separation distances.

On January 14, 2025, the Committee of Adjustment issued a decision approving the Application, subject to conditions (the "Decision"). A copy of the Notice of Decision of the Committee of Adjustment is attached.

Of primary concern to Transportation Review staff are Variances 3 and 4 which permit this development to proceed without any minimum parking requirement. In a report from the Manager, Transportation Review, Toronto and East York District, Development Review, dated

December 20, 2024, submitted to the Committee of Adjustment, staff raised concerns with respect to the Application's lack of a minimum visitor parking requirement. A copy of the Transportation Review Report is attached.

In order to preserve the City's right of appeal, the City Solicitor appealed the Committee of Adjustment's Decision to the Toronto Local Appeal Body on January 28, 2025.

This matter is time sensitive and urgent as the City Solicitor has already appealed the Decision to the Toronto Local Appeal Body in order to preserve the City's statutory right and requires instructions to appeal and attend the hearing for this matter.

Background Information (City Council)

Member Motion MM26.9

(<https://www.toronto.ca/legdocs/mmis/2025/mm/bgrd/backgroundfile-252696.pdf>)

Attachment 1 - Notice of Decision of the Committee of Adjustment

(<https://www.toronto.ca/legdocs/mmis/2025/mm/bgrd/backgroundfile-252697.pdf>)

Attachment 2 - Transportation Review Report to the Committee of Adjustment

(<https://www.toronto.ca/legdocs/mmis/2025/mm/bgrd/backgroundfile-252698.pdf>)