

City Council

Motion Without Notice

MM32.41	ACTION			Ward: 5
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131 McCormack Street - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Frances Nunziata, seconded by Councillor Paula Fletcher

** This Motion has been deemed urgent by the Chair.*

** This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

Recommendations

Councillor Frances Nunziata, seconded by Councillor Paula Fletcher, recommends that:

1. City Council direct the City Solicitor to appeal the Committee of Adjustment's decision regarding 131 McCormack Street (Application A0189/25EYK) and to attend the Toronto Local Appeal Body in order to oppose the variance requested in Application A0189/25EYK respecting 131 McCormack Street.
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 131 McCormack Street (Application A0189/25EYK), 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 of Community Planning, Etobicoke York District.

Summary

The applicant applied to the Committee of Adjustment to request a variance from City-wide Zoning By-law 569-2013 in order to legalize and maintain an existing Entertainment Place of Assembly at 131 McCormack Street (Application No. A0189/25EYK) (the "Application").

On July 10, 2025, the Etobicoke York District Panel of the Committee of Adjustment approved the Application, subject to the condition that the Entertainment Place of Assembly use be permitted for no more than 2 years, expiring on July 31, 2027 (the "Decision"). A copy of the Decision is attached.

In a report from the Director of Community Planning, Etobicoke York District dated July 2, 2025, Community Planning Staff were of the opinion that the application for the requested change in use is not minor in nature and a Zoning By-law Amendment application would be the required process to introduce a use that is currently not permitted in the Employment Industrial zone. In the event that the Committee of Adjustment approved the Application, staff recommended that the use be permitted for no more than 2 years from the date that the

Committee of Adjustment decision is final and binding. A copy of the Planning Report is attached.

In a letter dated July 9, 2025 from Councillor Frances Nunziata, negative impacts on the local community from the illegal use were cited including: loud music into the morning hours; illegally parked vehicles; loitering and overnight occupancy in Harwood Park; and public intoxication and littering. A copy of this letter is attached.

This Motion will give the City Solicitor authority to appeal the Decision respecting 131 McCormack Street, to attend the Toronto Local Appeal Body in order to oppose the Application, and to retain outside consultants as necessary. This Motion will also give the City Solicitor authority to resolve the matter on behalf of the City, at the City Solicitor's discretion, after consultation with the Ward Councillor and the Director of Community Planning, Etobicoke York District.

This matter is time sensitive and urgent as the deadline to appeal the Decision to the Toronto Local Appeal Body in order to preserve the City's statutory right is July 30, 2025 and the City Solicitor requires instructions to appeal and attend the hearing for this matter.

Background Information (City Council)

Member Motion MM32.41

Attachment 1 - Notice of Decision of the Committee of Adjustment (Application No. A0189/25EYK)

(<https://www.toronto.ca/legdocs/mmis/2025/mm/bgrd/backgroundfile-257622.pdf>)

Attachment 2 - Planning Staff Report dated July 2, 2025

(<https://www.toronto.ca/legdocs/mmis/2025/mm/bgrd/backgroundfile-257623.pdf>)

Attachment 3 - Letter from Councillor Frances Nunziata dated July 9, 2025.

(<https://www.toronto.ca/legdocs/mmis/2025/mm/bgrd/backgroundfile-257624.pdf>)