

Etobicoke York Community Council – Item 21.2

(Considered by City Council on December 1, 2 and 3, 2008)

EY21.2	Adopted			Ward: 2
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556, 558 Scarlett Road and 13 Chapman Road – Zoning By-law Amendment Application - Request for Direction Report

City Council Decision

City Council on December 1, 2 and 3, 2008, adopted the following motions:

1. City Council direct the City Solicitor and City staff to attend at a future Ontario Municipal Board hearing to oppose the application as represented by the proposal outlined in this report.
2. City Council authorize the City Solicitor and necessary City staff to offer the appellant an opportunity to attend the Ontario Municipal Board for mediation and a settlement in accordance to the Planning staff position outlined in this report.
3. City Council endorse the retention of the 1-foot reserve on Chapman Road.

Committee Recommendations

The Etobicoke York Community Council recommends that:

1. City Council direct the City Solicitor and City staff to attend at a future Ontario Municipal Board hearing to oppose the application as represented by the proposal outlined in this report.
2. City Council authorize the City Solicitor and necessary City staff to offer the appellant an opportunity to attend the Ontario Municipal Board for mediation and a settlement in accordance to the Planning staff position outlined in this report.
3. City Council endorse the retention of the 1-ft reserve on Chapman Road.

Committee Decision Advice and Other Information

The Etobicoke York Community Council requested the Ward Councillor to meet with the Director, Community Planning, Etobicoke York District, in an attempt to resolve this matter prior to the Ontario Municipal Board hearing.

Recorded vote:

Yes: Councillors Ford, Hall, Lindsay Luby, Milczyn and Nunziata (5)
No: Councillors DiGiorgio, Mammoliti and Saundercook (3)
Absent: Councillors Grimes, Holyday and Palacio (3)

Carried.

Origin

(October 30, 2008) Report from Director, Community Planning, Etobicoke York District

Summary

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

On August 21, 2008, the applicant appealed the application to the Ontario Municipal Board (OMB) due to Council's failure to make a decision within the time allotted by the Planning Act.

The application before the OMB is to permit: 1 two-storey single detached dwelling (12.2 metre frontage) and 5 single detached three-storey dwellings (9 metre frontage) fronting on Chapman Road; and 4 three-storey semi-detached units (approximately 5.6 metre frontage) and 1 three-storey single detached dwelling (7.6 metre frontage) fronting onto Scarlett Road. A date for the hearing has not been set.

The applicant's solicitor has not requested OMB mediation to explore a possible settlement.

The purpose of this report is to seek Council's direction to attend a future Ontario Municipal Board hearing to oppose the application as represented by the proposal outlined in this report.

Background Information (Committee)

October 30, 2008 staff report

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-16900.pdf>

Communications (Committee)

(November 10, 2008) e-mail from Sheila Creighton and Patricia Eakins (EY.Main)

(November 14, 2008) e-mail from Michael J. Penman (EY.Main)

(November 17, 2008) e-mail from John & Doris Lunney (EY.Main)

(November 17, 2008) e-mail from Raymond Kennedy (EY.Main)

(November 17, 2008) e-mail from Perry and Sandra Bottoni (EY.Main)