
City Council

Motion without Notice

MM49.25	ACTION			Ward: 16
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285, 287 and 289 Strathallan Wood and 482 and 484 Lytton Boulevard – Appeal of By-Law 1196-2009 - by Councillor Stintz, seconded by Councillor Feldman

** This Motion has been deemed urgent by the Chair. Council has added this Motion to the agenda for debate.*

Recommendations

Councillor Stintz, seconded by Councillor Feldman, recommends that:

1. City Council direct the City Solicitor to immediately take the necessary steps to confirm with the Ontario Municipal Board and the City's Building Division that it is Council's intent to immediately exempt the properties municipally known as 482 and 484 Lytton Boulevard and 285, 287 and 289 Strathallan Wood from the application of the below grade garage prohibition based upon the fact that such approved design for the single family detached, semi-detached and townhouse dwellings were approved well in advance of the approval of such prohibition, with the proposed design of the parking solution being identical to the majority of homes in the immediate area; furthermore, City Council direct that the New Zoning By-law for the City of Toronto include any necessary exemptions for these properties.

Summary

On November 25, 2009, the Committee of Adjustment approved minor variance applications for the above-referenced properties, which decisions permitted three (3) single family detached dwellings for the properties municipally known as 285, 287 and 289 Strathallan Wood, a nine (9) unit townhouse development for the property municipally known as 484 Lytton Boulevard and a semi-detached home to be constructed on the property municipally known as 482 Lytton Boulevard. On December 1, 2009, City Council passed Zoning By-law No. 1196-2009 which By-law prohibits below grade garages for single family detached dwellings, semi-detached dwellings and street townhouses. On January 6, 2009, the owner of the above-referenced properties appealed Zoning By-law No. 1196-2009 as the By-law seeks to prohibit the very development design which had just been approved by the Committee of Adjustment on November 25, 2009. As such, City Legal is directed to immediately take the necessary steps to confirm with the Ontario Municipal Board and the City's Building Department to exempt the above-referenced properties from Zoning By-law No. 1196-2009 and the New Zoning By-law for the City of Toronto.

(Submitted to City Council on May 11 and 12, 2010 as MM49.25)