

MOTION WITHOUT NOTICE**34 Twenty Seventh Street – Authority to Attend an Ontario Municipal Board Hearing****Moved by: Councillor Grimes** _____**Seconded by: Councillor** _____**SUMMARY:**

The applicant applied to the Committee of Adjustment, Etobicoke York Panel, (the "Committee") for minor variances from the City-wide Zoning By-law 569-2013 and the Etobicoke Zoning Code to construct a new detached dwelling with an attached garage on 34 Twenty Seventh Street (the "Application"). The Application is known as municipal file number A0712/16TEY.

On November 3, 2016, the Committee approved the Application with conditions (the "Decision").

City Planning prepared a staff report dated October 27, 2016, recommending refusal of the Application and the proposed variances. Planning reviewed the proposal and concluded that the variances, particularly those for floor space index, setbacks, and building height do not satisfy the proposed intent of the applicable Zoning By-laws. Planning concluded that the variances, if approved, would allow a development with massing that is not in character with the neighbourhood, and would have negative impacts on neighbouring properties.

In order to preserve the City's right of appeal, the City Solicitor appealed the Committee's Decision to the Ontario Municipal Board on November 23, 2016.

This motion will give the City Solicitor retroactive authority to appeal the Committee's Decision to the Ontario Municipal Board. This motion will also authorize the City Solicitor, and appropriate City Staff, to attend the Ontario Municipal Board in order to oppose the proposed variances requested in the Application.

This matter is time sensitive and urgent as the City Solicitor has already appealed the Decision to the Ontario Municipal Board and requires instructions to attend the hearing for this matter which is scheduled for May 15, 2017.

RECOMMENDATION:

1. That City Council authorize the City Solicitor to appeal the November 3, 2016 decision of the Etobicoke York Committee of Adjustment regarding Application No. A0712/16EYK respecting 34 Twenty Seventh Street to the Ontario Municipal Board.
2. That City Council authorize the City Solicitor, along with appropriate City Staff, to attend the Ontario Municipal Board in order to oppose the variances requested in Application No. A0712/16EYK respecting 34 Twenty Seventh Street.

ATTACHMENTS:

Attachment 1: Notices of Decision of the Committee of Adjustment

Attachment 2: City Planning Staff Report

May 2, 2017