

John Filion

Toronto City Councillor – Ward 23, Willowdale

Date: October 17th, 2017
To: North York Community Council –City Clerk's Office-Secretariat
From: Councillor John Filion
Subject: Representation at a Toronto Local Appeal Body hearing for 116 Bogert Avenue

SUMMARY:

The applicant has applied to the Committee of Adjustment (Application Nos. B0024/17NY, A0299/17NY, A0300/17NY) to obtain consent to sever the property at 116 Bogert Avenue into two undersized residential lots and for minor variances from Zoning By-laws 7625 and 569-2013 to permit the construction of a new two-storey dwelling on each of the proposed severed lots (the "Applications").

At its hearing on August 31, 2017, the Committee of Adjustment refused the applications for both the consent and minor variances. In their report, Planning Staff were of the opinion that the proposal fails to satisfy all of the consent criteria of the Planning Act and the requested minor variance applications do not meet the four tests. Copies of the Notices of Decision and Staff Report are attached.

The applicant has appealed the Committee of Adjustment's decision to the Toronto Local Appeal Body.

A hearing date has been set for February 21, 2018.

RECOMMENDATIONS:

1. City Council authorize the City Solicitor to attempt to negotiate a settlement in the appeal of Application Nos. B0024/17NY, A0299/17NY, A0300/17NY respecting 116 Bogert Avenue and authorize the City Solicitor to settle the matter in her discretion after consultation with the Chief Planner and Executive Director, City Planning and Ward Councillor.
2. In the event a settlement cannot be reached, City Council authorize the City Solicitor, along with appropriate City staff, to attend the Toronto Local Appeal Body and to retain outside consultants, as necessary, to oppose the consent and minor variances requested in Committee of Adjustment Application Nos. B0024/17NY, A0299/17NY, A0300/17NY respecting 116 Bogert Avenue.



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