
City Council

Motion Without Notice

MM10.25	ACTION			Ward: 11
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100 Willcocks Street - Authority to Attend a Toronto Local Appeal Body Hearing - by Councillor Mike Layton, seconded by Councillor Joe Cressy

** 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 Mike Layton, seconded by Councillor Joe Cressy, recommends that:

1. City Council direct the City Solicitor, along with appropriate City Staff, to attend the Toronto Local Appeal Body in order to oppose the applicant's appeal of the Toronto and East York District Panel Committee of Adjustment's decision refusing the minor variance requested in Application A1193/18TEY respecting 100 Willcocks Street.
2. City Council authorize the City Solicitor to attempt to negotiate a settlement, and if resolution is reached, to settle the matter on behalf of the City in the City Solicitor's discretion, in consultation with the Ward Councillor, the Chief Planner and Executive Director, City Planning and the Senior Manager, Heritage Preservation Services.
3. City Council authorize the City Solicitor, and any necessary staff, to take all steps necessary to bring resolution to the matter.

Summary

The applicant has applied for minor variances from the City-wide Zoning By-law 569-2013 and former City of Toronto Zoning By-law 438-86 to alter the existing two-storey townhouse with two dwelling units by constructing a rear basement walkout; a west side, ground floor bay window (oriel window); a rear two-storey addition with a second storey balcony; and a new rear one-storey detached garage (the "Application"). The Application is known as municipal file A1193/18TEY.

The property is also subject to the Harbord Village Heritage Conservation District Phase 1, Part V Designation under the Ontario Heritage Act through By-law 137-2005.

On August 21, 2019, Heritage Preservation Services, in a report to the Committee, was generally satisfied with the revisions made to the plans and drawings before the Committee on

the minor variance application and directed that the approval of the minor variance application be conditional on obtaining heritage permit approval under section 42 of the Ontario Heritage Act.

On August 22, 2019, Urban Forestry, in a further report to the Committee, did not object to the removal and requested a series of conditions be imposed on the minor variance approval.

On August 22, 2019, City Planning recommended refusal of Variance Number 2 and Variance Number 4 related to garage height and building depth. City Planning provided no comment on the other variances requested.

On September 3, 2019, the Committee refused the Applications, as the minor variances did not meet the Planning Act's four tests.

The Applicant has appealed the Committee's Decision to refuse the Application to the Toronto Local Appeal Body, and the hearing has been set for January 21, 2020.

Background Information (City Council)

Member Motion MM10.25

Committee of Adjustment Toronto and East York District Panel Notice of Decision on application for Minor Variance/Permission for 100 Willcocks Street

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-138509.pdf>)

(August 21, 2019) Memorandum from the Acting Supervisor, Tree Protection and Plan Review, Toronto East York District on 100 Willcocks Street - Minor Variance Application

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-138510.pdf>)

(August 21, 2019) Report from the Program Manager, Heritage Preservation Services, Urban Design, City Planning on 100 Willcocks Street

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-138511.pdf>)

(August 22, 2019) Report from the Director, Community Planning, Toronto and East York District on 100 Willcocks Street

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-138514.pdf>)