
City Council

Motion without Notice

MM14.18	ACTION			Ward:30
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1183 Queen Street East: Ontario Municipal Board Hearing - by Councillor Paula Fletcher, seconded by Councillor Mary Fragedakis

- * Notice of this Motion has not been given. A two-thirds vote is required to waive notice.*
- * This Motion is subject to referral to the Toronto and East York Community Council. A two thirds vote is required to waive referral.*
- * This Motion relates to an Ontario Municipal Board Hearing and has been deemed urgent.*

Recommendations

Councillor Paula Fletcher, seconded by Councillor Mary Fragedakis, recommends that:

1. City Council direct the City Solicitor and appropriate staff to attend the Ontario Municipal Board hearing relating to the consent and variance applications for 1183 Queen Street East to oppose the appeals.
2. City Council authorize the City Solicitor to agree to a settlement at the Ontario Municipal Board, subject to the registration of a common element plan of condominium that addresses all shared features of the development, to the satisfaction of the Director of Community Planning, South District.

Summary

The applicant proposes to construct one commercial/residential building, with retail space at grade and four rental dwelling units, and 10 freehold townhouses behind the commercial/residential building at 1183 Queen Street East (the "Subject Property"). The Toronto and East York Committee of Adjustment refused the related consent application B0086/10TEY and variance applications A0751/10TEY through A0761/10TEY.

Technical Services reported to the Committee of Adjustment recommending that the Committee decision include a condition that the owner register a common element plan of condominium to address shared elements of the development. To date, no common element condominium application has been submitted. Shared features will include but are not limited to a shared driveway, services running below the driveway, and a private walkway. Staff advise that in the absence of a common element condominium, the proposed land division represents bad planning.

The Ontario Municipal Board has scheduled a hearing date on December 15, 2011. This is the last Council meeting before the hearing date and as such, this matter is urgent.

(Submitted to City Council on November 29 and 30, 2011 as MM14.18)