TORONTO Member Motion

City Council

Motion Without Notice

MM22.16	ACTION			Ward:27

308-314 Jarvis Street and 225 Mutual Street – Appeal of and Staff Representation at an Ontario Municipal Board Hearing - by Councillor Kristyn Wong-Tam, seconded by Councillor John Parker

**** 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 Kristyn Wong-Tam, seconded by Councillor John Parker, recommends that:

1. City Council direct the City Solicitor to appeal the approval of the variance under Application No. A0507/11TEY for 308-3214 Jarvis Street and 225 Mutual Street and, subject to Recommendation 2 below, authorize the City Solicitor and City Planning staff to attend the Ontario Municipal Board hearing in opposition to the Committee of Adjustment's approval of the variance.

2. City Council direct the City Solicitor to attempt to negotiate a settlement in the appeal of Committee of Adjustment Application No. A0507/11TEY and authorize the City Solicitor to settle the matter on behalf of the City at her discretion after consultation with the Acting Chief Planner and the Ward Councillor.

Summary

By its decision mailed on April 10, 2012, the Committee of Adjustment Toronto and East York Panel granted, subject to conditions, Application No. A0507/11TEY respecting 308-314 Jarvis Street and 225 Mutual Street to legalize the use of the land as a commercial parking lot. Community Planning Staff wrote a report concluding that the application does not meet all four tests under Section 45 of the Planning Act.

This is an urgent matter as the deadline for filing an appeal is Tuesday, April 24, 2012.

(Submitted to City Council on April 10 and 11, 2012 as MM22.16)