TORONTO Member Motion

City Council

Notice of Motion

MM33.4	ACTION			Ward:13

Request for Attendance at an Ontario Municipal Board Hearing - Support of Committee of Adjustment Decision for 107 Kennedy Avenue (A591/12EYK) - by Councillor Sarah Doucette, seconded by Councillor Frances Nunziata

**** Notice of this Motion has been given.***
**** This Motion is subject to referral to the Etobicoke 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 Sarah Doucette, seconded by Councillor Frances Nunziata, recommends that:

1. City Council authorize the City Solicitor and City staff to appear at the Ontario Municipal Board to support the decision of the Committee of Adjustment in refusing Minor Variance Application A591/12EYK with respect to 107 Kennedy Avenue.

Summary

The application is to legalize and maintain four self-contained residential units within the existing detached converted dwelling. At its meeting on April 11, 2013, the Committee of Adjustment refused this application. Before that meeting, I received correspondence from area residents and the City Planning report in opposition to the application. The Planning report cites the fact that this "conversion from a single detached dwelling to a converted house with multiple dwelling units does not maintain the intent and the purpose of the Zoning By-Law" (see attached). As for Transportation, I disagreed with the Transportation Services staff report in relation to the application (see attached). There are too many variables that need to remain in alignment in order for the parking situation to stay this way. I usually object to variances that inevitably exacerbate the existing parking situation. In my ward, as in many downtown wards, there are very few streets where parking is not at or near permit parking capacity. As Transportation points out, this street has only 4 on-street parking permits remaining.

The fallout from overdevelopment such as this is seriously felt by the residents on the street, the immediate neighbours, and the prospective tenants who will have to manage this lack of parking situation on a daily basis if this is approved.

Community Planning staff does not comment on minor variances frivolously and they are

opposed to the application.

(Submitted to City Council on May 7 and 8, 2013 as MM33.4)

Background Information (City Council)

Member Motion MM33.4
(April 9, 2013) Memorandum from the Manager, Traffic Planning/Right-of-Way Management regarding 107 Kennedy Avenue
(http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-58048.pdf)
(February 25, 2013) Report from the Director, Community Planning, Etobicoke York District regarding 107 Kennedy Avenue
(http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-58049.pdf)