

City Council**Notice of Motion**

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| MM39.25 | ACTION | | | Ward:5 |
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Request for Attendance at an Ontario Municipal Board Hearing - appeal of the Committee of Adjustment decision for 39 Willingdon Boulevard (A113/13EYK) - by Councillor Peter Milczyn, seconded by Councillor Vincent Crisanti

** 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 Peter Milczyn, seconded by Councillor Vincent Crisanti, recommends that:

1. City Council direct the City Solicitor to attend the Ontario Municipal Board Appeal to defend the Committee of Adjustment Decision for 39 Willingdon Boulevard and to engage an independent land use planning consultant.

Summary

On Thursday, April 18, 2013 A113/13EYK was heard by the Committee of Adjustment Etobicoke York Panel. The applicant was seeking approval to construct a third storey addition over the existing building and a three storey rear addition. There was significant community opposition. I asked at that meeting for a deferral to allow me to host a community meeting, where I attempted to negotiate a compromise between the applicant and their neighbours (however the applicant was not interested in making any alterations).

The Application and variances were again tabled in June 2013, whereat the Committee refused the application. The applicants have appealed the decision to the Ontario Municipal Board. It is my opinion that the decision of the Committee of Adjustment should be upheld. Approval of these variances would undermine the stability of the neighbourhood and would be out of keeping with its' physical character.

An Ontario Municipal Board hearing has been scheduled for October 15, 2013 (PL1300732).

(Submitted to City Council on October 8 and 9, 2013 as MM39.25)

Background Information (City Council)

Member Motion MM39.25

(June 20, 2013) Letter to Etobicoke York Committee of Adjustment

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-62213.pdf>

Map - 39 Willingdon Boulevard

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-62214.pdf>

Committee of Adjustment Etobicoke York Panel - Notice of Decision on application for Minor Variance/Permission for 39 Willingdon Boulevard

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-62215.pdf>

Committee of Adjustment Etobicoke York Panel - Public Hearing Notice on Minor Variance/Permission for 39 Willingdon Boulevard

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-62240.pdf>