May 13, 2014

Chair and Members
Toronto and East York Community Council
100 Queen St W
Toronto M5H 2N2

Dear Chair and Members:

NEW BUSINESS REQUEST: City staff to defend Committee of Adjustment decision re: 68 Vermont Avenue at the Ontario Municipal Board

An application was submitted to the Committee of Adjustment (Application No. A0989/13TEY) seeking relief from various provisions of Toronto Zoning By-law 438-86 and city wide Zoning By-law 569-2013 in order to construct a third storey addition and a rear three-storey addition to an existing house and construct a rear detached garage. These include variances to the maximum floor space index of 1.0 times the lot area whereas 0.6 times is permitted, the maximum permitted coverage of an ancillary building of 15.56% of the lot area whereas 10% is permitted, and variances under 438-86 for reduced side yard setbacks. The Committee of Adjustment refused the requested minor variances in a decision dated February 19, 2014, concluding the variances did not meet the intent and purpose of either the Official Plan or Zoning By-law. The applicant has appealed that decision to the Ontario Municipal Board and a hearing has been scheduled for July 3, 2014.

The consent and variances as a whole do not respect and reinforce the character of the neighbourhood and raise issues of light and privacy for neighbouring properties. Accordingly, the following recommendation seeks to instruct staff to appear in support of the Committee of Adjustment decisions. Planning has not written a report on the application, so it is also recommended that the City Solicitor be granted authority to retain an outside planning consultant to provide expert evidence before the Board.

RECOMMENDATIONS:

1. That Council authorize the City Solicitor to appear in support of decision A0989/13TEY of the Committee of Adjustment and to retain outside consultants as necessary to support the City’s position.

Sincerely,

Councillor Adam Vaughan
Ward 20 – Trinity-Spadina