

City Council

Motion without Notice

MM3.34	ACTION			Ward:20
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239 Beverley Street and 241 Beverley Street - Request for City Solicitor to attend at the Ontario Municipal Board - by Councillor Joe Cressy, seconded by Councillor Paul Ainslie

** 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 Joe Cressy, seconded by Councillor Paul Ainslie, recommends that:

1. City Council authorize the City Solicitor to attend the Ontario Municipal Board on February 12, 2015, to request an adjournment of the hearing regarding Application Nos. A0533/14TEY and A0533/14TEY for variances respecting 239 Beverley Street and 241 Beverley Street.
2. In the event the Ontario Municipal Board adjourns the hearing in respect of 239 Beverley Street and 241 Beverley Street to a later date, City Council authorize the City Solicitor and the Director, Community Planning, North York District, to appear at the Ontario Municipal Board and to retain outside consultants as necessary to support the decision of the Committee of Adjustment refusing Application Nos. A0533/14TEY and A0533/14TEY for variances respecting 239 Beverley Street and 241 Beverley Street.

Summary

The applicant has proposed parallel alterations to two existing three-storey converted buildings at 239 Beverley Street (A0538/14TEY) and 241 Beverley Street (A0533/14TEY). The buildings currently each contain three dwelling units. The applicant has proposed to construct in each of the buildings a front basement walkout, and convert the basement into a fourth dwelling unit.

At its hearing on October 22, 2014, the Committee of Adjustment refused Application Nos. A0538/14TEY and A0533/14TEY. Copies of the Notices of Decision of the Committee of Adjustment are attached. In the opinion of the Committee, the applications did not maintain the general intent and purpose of the Official Plan or the Zoning By-law, the variances were not considered desirable for the appropriate development of the land, and the variances were not considered minor.

The applicant has appealed the refusal of the Committee of Adjustment to the Ontario

Municipal Board. The hearing date has been scheduled for February 12, 2015.

There is not sufficient time to prepare for a hearing on the merits by the hearing date on February 12, 2015. Obtaining an adjournment from the Ontario Municipal Board would allow the City Solicitor to attend a hearing at a later date to uphold the Committee of Adjustment's decision to refuse the applications.

Background Information (City Council)

Committee of Adjustment Toronto and East York Panel - Notice of Decision on Minor Variance/Permission for 239 Beverley Street

(<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-76257.pdf>)

Committee of Adjustment Toronto and East York Panel - Notice of Decision on Minor Variance/Permission for 241 Beverley Street

(<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-76258.pdf>)