

## City Council

### Notice of Motion

MM12.17	ACTION			Ward:30
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#### **Request for Attendance at the Ontario Municipal Board - 9 Kintyre Avenue - by Councillor Paula Fletcher, seconded by Councillor Janet Davis**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Toronto and East 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 Paula Fletcher, seconded by Councillor Janet Davis, recommends that:

1. City Council direct the City Solicitor to attempt to negotiate a settlement in the appeal of Committee of Adjustment Application No. A0876/15TEY in respect of 9 Kintyre Avenue and authorize the City Solicitor to settle the matter on behalf of the City in her discretion after consultation with the Ward Councillor and the Chief Planner and Executive Director, City Planning.
2. In the event a settlement cannot be reached, City Council authorize the City Solicitor and appropriate City staff to appear at the Ontario Municipal Board to support the decision of the Committee of Adjustment in refusing Application No. A0876/15TEY respecting 9 Kintyre Avenue.

#### **Summary**

At its hearing on November 4, 2015, the Committee of Adjustment refused Application No. A0876/15TEY respecting 9 Kintyre Avenue. A copy of the Committee's decision is attached. The application was for the purpose of obtaining variances to permit the construction of a new three-storey triplex. City Planning recommended refusal of the application. A copy of City Planning's report dated November 4, 2015 is attached. The applicant has appealed the refusal to the Ontario Municipal Board. A hearing has not yet been scheduled.

#### **Background Information (City Council)**

Member Motion MM12.17

Committee of Adjustment, Toronto and East York District Notice of Decision on application for Minor Variance/Permission for 9 Kintyre Avenue

<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-88761.pdf>

(November 4, 2015) Report from the Director, Community Planning, Toronto and East York District on 9 Kintyre Avenue

<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-88769.pdf>