

City Council

Motion without Notice

MM12.30	ACTION			Ward:37
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839 Ellesmere Road - Request for City Solicitor to Appeal Committee of Adjustment Decision and Attend at the Ontario Municipal Board - by Councillor Michael Thompson, seconded by Councillor Ana Bailão

** 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 Michael Thompson, seconded by Councillor Ana Bailão, recommends that:

1. City Council direct the City Solicitor to appeal to the Ontario Municipal Board the Committee of Adjustment decision on Application No. A236/15SC respecting 839 Ellesmere Road.
2. City Council authorize the City Solicitor to appear at the Ontario Municipal Board and to retain outside consultants, as necessary, to oppose the decision of the Committee of Adjustment in Application No. A236/15SC respecting 839 Ellesmere Road.

Summary

At its hearing on January 21, 2016, the Committee of Adjustment granted Application No. A236/15SC respecting 839 Ellesmere Road for variances for what was stated to be an existing ancillary building that is being used for a workshop and storage purposes. A copy of the Committee of Adjustment decision is attached.

The requested variances do not satisfy the four tests under the Planning Act. This Motion would direct the City Solicitor to appeal the decision to the Ontario Municipal Board and authorize the City Solicitor to retain an outside consultant in order to oppose the variances at the Hearing.

The last day to appeal the Committee of Adjustment variance Decision is February 10, 2016 and as such this is a time sensitive matter.

Background Information (City Council)

Member Motion MM12.30

Committee of Adjustment, Scarborough District Notice of Decision on application for Minor Variance/Permission for 839 Ellesmere Road

<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-90186.pdf>