

City Council**Motion without Notice**

MM19.29	ACTION			Ward:20
---------	--------	--	--	---------

148 Borden Street - Request for City Solicitor to attend at the Ontario Municipal Board - by Councillor Joe Cressy, seconded by Councillor Kristyn Wong-Tam

** 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 Kristyn Wong-Tam, recommends that:

1. City Council authorize the City Solicitor and appropriate City staff to attend the Ontario Municipal Board and to retain outside consultants as necessary to oppose the proposed variances requested in Application No. A0091/16TEY respecting 148 Borden Street.

Summary

The applicant has applied to the Committee of Adjustment (the "Committee") for minor variances to permit the alteration of an existing four-storey triplex at 148 Borden Street by adding a fourth dwelling unit in the basement and to maintain the second floor of the detached garage in the rear yard for storage (the "Application"). The Application is known as municipal file number A0091/16TEY. The building currently contains three dwelling units.

At its hearing on April 20, 2016, the Committee refused the Application and all the variances (the "Decision"). A copy of the Notice of Decision of the Committee is attached. In the opinion of the Committee, the Application 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 Committee's Decision to refuse the Application to the Ontario Municipal Board (the "Board").

This Motion will authorize the City Solicitor and appropriate City staff to attend the Ontario Municipal Board and to retain outside consultants as necessary in order to support the Committee's Decision to refuse the Application.

This matter is time sensitive and urgent as the applicant has already appealed the Committee's Decision to the Board and the City Solicitor requires instructions and direction to support the

Committee's refusal of the Application and oppose the applicant's appeal.

Background Information (City Council)

Member Motion MM19.29

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for
Minor Variance/Permission for 148 Borden Street

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-94046.pdf>)