

City Council**Motion without Notice**

MM20.54	ACTION			Ward:29
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Request for Attendance at an Ontario Municipal Board Hearing - Appeal of Committee of Adjustment Decision respecting 84 Wiley Avenue (A0218/16TEY) - by Councillor Mary Fragedakis, seconded by Councillor Frances Nunziata

** Notice of this Motion has not been given. A two-thirds vote is required to waive notice.
* 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 has been deemed urgent by the Chair.*

Recommendations

Councillor Mary Fragedakis, seconded by Councillor Frances Nunziata, recommends that:

1. City Council direct the City Solicitor to continue discussions to negotiate a settlement on behalf of the City in his discretion after consultation with the Chief Planner and Executive Director, City Planning in the appeal of Committee of Adjustment Application A0218/16TEY for 84 Wiley Avenue, and, if a settlement is achieved, City Council authorize the City Solicitor to attend the Ontario Municipal Board and not oppose the appeal subject to the the implementation of conditions as recommended in the June 2, 2016 Staff Report from the Director, Community Planning, Toronto and East York District.
2. In the event a settlement cannot be reached, City Council direct the City Solicitor and appropriate City staff to attend the Ontario Municipal Board to oppose the appeal of Committee of Adjustment Application A0218/16TEY respecting 84 Wiley Avenue.

Summary

The Toronto and East York District Panel of the Committee of Adjustment refused a minor variance application related to the property municipally known as 84 Wiley Avenue on Thursday, June 9, 2016.

The applicant is seeking relief from the provisions of Former East York Zoning By-law 6752 and City-wide Zoning By-law 569-2013 to construct a complete second storey, a rear two-storey addition, a new covered front porch, a rear deck and a rear entrance for a secondary suite in the basement.

The applicant has appealed the Committee of Adjustment decision to the Ontario Municipal Board.

A June 2, 2016 Staff Report from the Director, Community Planning, Toronto and East York District recommended that a number of variances be revised and the lot coverage for the dwelling be no greater than 43 percent of the lot area.

This Motion would direct the City Solicitor and appropriate City staff to attempt to negotiate a settlement with the applicant. In the event a settlement cannot be reached, this Motion would direct the City Solicitor and appropriate City staff to attend at the Board to support refusal of the variances.

Background Information (City Council)

Member Motion MM20.54

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for Minor Variance for 84 Wiley Avenue

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-94966.pdf>)

(June 2, 2016) Report from the Director, Community Planning, Toronto and East York District on application for Minor Variance for 84 Wiley Avenue

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-94967.pdf>)

Committee of Adjustment, Toronto and East York Panel Public Hearing Notice on application for Minor Variance for 84 Wiley Avenue

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-94968.pdf>)