

City Council**Motion without Notice**

MM20.69	ACTION			Ward:20
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99 Oxford 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 Councillor Kristyn Wong-Tam, recommends that:

1. City Council direct the City Solicitor to attempt to negotiate a settlement in the appeal of Committee of Adjustment Application A1115/15TEY respecting 99 Oxford Street, and authorize the City Solicitor to settle the matter on behalf of the City in his discretion after consultation with the Ward Councillor and the Director of Community Planning, Toronto and East York District.
2. In the event a settlement cannot be reached, City Council authorize the City Solicitor, together with appropriate City staff, to attend the Ontario Municipal Board to oppose the proposed variances requested in Committee of Adjustment Application A1115/15TEY respecting 99 Oxford Street, and to retain outside consultants as necessary.

Summary

The applicant has applied to the Committee of Adjustment, Toronto and East York Panel for minor variances to permit the construction of a new three-storey detached dwelling with integral garage at 99 Oxford Street. The Application is known as municipal file number A1115/15TEY. The existing building is intended to be demolished.

At its hearing on May 18, 2016, the Committee refused the Application and all the variances. 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.

This Motion directs the City Solicitor to attempt to negotiate a settlement of the appeal with the applicant. In the event that a settlement cannot be reached, this Motion authorizes the City Solicitor, together with appropriate City staff, to attend the Ontario Municipal Board to oppose the Application, and to retain outside consultants as necessary.

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 attempt to negotiate a settlement with the applicant and attend the hearing, as may be required.

Background Information (City Council)

Member Motion MM20.69

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission for 99 Oxford Street

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-95025.pdf>)