

City Council**Motion without Notice**

MM21.28	ACTION			Ward:21
---------	--------	--	--	---------

Request for Representation at an Ontario Municipal Board hearing for 216 Heath Street West - by Councillor Joe Mihevc, seconded by Councillor Josh Matlow

** 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 Joe Mihevc, seconded by Councillor Josh Matlow, recommends that:

1. City Council authorize the City Solicitor and other appropriate staff to attend the Ontario Municipal Board to uphold the decision of the Committee of Adjustment to refuse the application for 216 Heath Street West (Committee of Adjustment Application No. A0619/TEY).

Summary

At its hearing on September 13, 2016, the Committee of Adjustment refused Application No. A0619/TEY regarding 216 Heath Street West. The purpose of the application was to expand the live/work uses in the existing converted detached dwelling by converting the building from three residential units and one live/work unit to one residential unit and two live/work units.

In a report dated September 8, 2016, City Planning staff recommended refusal of the application as the proposed increase of live/work-related (home occupation) uses would be inconsistent with the intent of the Official Plan, the Zoning By-law and with the prevailing streetscape in the neighbourhood. Copies of the Committee of Adjustment Notice of Decision and City Planning Staff Report are attached.

The owner has appealed the Committee of Adjustment decision to the Ontario Municipal Board. No hearing date has been scheduled for this appeal.

I am therefore seeking City Council approval for the City Solicitor and appropriate staff to attend the Ontario Municipal Board hearing in support of the decision of the Committee of Adjustment.

Background Information (City Council)

Member Motion MM21.28

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for
Minor Variance/ Permission for 216 Heath Street West

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-97035.pdf>)