

**City Council****Motion without Notice**

MM21.34	ACTION			Ward:31
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**739 Milverton Boulevard - Authority to Attend an Ontario Municipal Board Hearing - by Councillor Janet Davis, seconded by Councillor Paula Fletcher**

*\* 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 Janet Davis, seconded by Councillor Paula Fletcher, recommends that:

1. City Council authorize the Interim City Solicitor, along with appropriate City staff, to attend the Ontario Municipal Board and to retain outside consultants as necessary to oppose the proposed variances requested in Application A1184/15TEY respecting 739 Milverton Boulevard.

**Summary**

The applicant has applied to the Committee of Adjustment, Toronto and East York Panel, (the "Committee") for minor variances to convert the existing one-storey detached dwelling at 739 Milverton Boulevard by constructing a second and third-floor addition, a new front porch, a new rear deck, a basement walkout, a front and rear second-floor balcony, and a third-floor balcony. The proposed new dwelling will be converted into three dwelling units (the "Application"). The Application is known as municipal file number A1184/15TEY.

On March 8, 2016, the Committee refused the Application and all the variances (the "Decision"). 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 Application is of concern to the City because the proposed height variance of 8.99m is considerably taller than neighbouring homes and may result in the loss of sunlight and cause privacy concerns for surrounding properties. In addition, the variances pertaining to lot coverage, floor space index, and number of stories will result in a built form that is

inappropriate in scale and massing and that is out of character with other properties in the neighbourhood. As proposed, the new three unit building constitutes over-development of a small residential site. The proposal would allow the construction of a triplex, which is not a form of development that is permitted or existing in this neighbourhood. If permitted, the three unit building will destabilize a stable residential neighbourhood that is predominantly made up of detached and semi-detached single family homes. Finally, notwithstanding the creation of three new dwelling units, the proposal does not provide adequate on-site parking in an area where there is no available on-street permit parking.

This Motion will give the Interim City Solicitor, along with appropriate City staff, authority to attend the Ontario Municipal Board and to retain outside consultants as necessary in order to oppose the Application.

This matter is time sensitive and urgent as the applicant has already appealed the Committee's Decision to refused Application to the Ontario Municipal Board.

### **Background Information (City Council)**

Member Motion MM21.34

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission for 739 Milverton Boulevard

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-97119.pdf>)