

City Council**Motion without Notice**

MM22.22	ACTION			Ward:19
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103 Beatrice Street - Authority to Attend an Ontario Municipal Board Hearing - by Councillor Mike Layton, seconded by Councillor Joe Cressy

** 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 Mike Layton, seconded by Councillor Joe Cressy, recommends that:

1. City Council authorize the City Solicitor, along with appropriate City staff, to attend the Ontario Municipal Board to oppose the proposed variances requested in Application A0590/16TEY respecting 103 Beatrice Street.

Summary

The applicant has applied to the Committee of Adjustment, Toronto and East York Panel for minor variances to the City-wide Zoning By-law 569-2013 and former City of Toronto Zoning By-law 438-86 to permit the construction of a rear detached garage at 103 Beatrice Street. The Application is known as municipal file number A0590/16TEY.

On September 22, 2016, the Committee of Adjustment, Toronto and East York Panel refused the Application and all the variances. In the opinion of the Committee of Adjustment, Toronto and East York Panel, 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 of Adjustment, Toronto and East York Panel's Decision to refuse the Application to the Ontario Municipal Board.

The Application is of concern to the City because the variances related to height, number of storeys, and building floor area are out of character with the prevailing built-form of other similar structures in the neighbourhood and do not meet the intent of the Official Plan and the applicable Zoning By-laws.

This Motion will give the City Solicitor, along with appropriate City staff, authority to attend the Ontario Municipal Board in order to oppose the Application and the requested variances.

This matter is time sensitive and urgent as the applicant has already appealed the Committee of Adjustment, Toronto and East York Panel's Decision to refuse the Application to the Ontario Municipal Board.

Background Information (City Council)

Member Motion MM22.22

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission for 103 Beatrice Street

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-98150.pdf>)

(September 13, 2016) Report from the Director, Community Planning, Toronto and East York District on 103 Beatrice Street

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-98151.pdf>)