

City Council**Motion without Notice**

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| MM22.28 | ACTION | | | Ward:29 |
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45 Roosevelt Road - Authority to Attend an Ontario Municipal Board Hearing - by Councillor Mary Fragedakis, seconded by Councillor Jon Burnside

** 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 Mary Fragedakis, seconded by Councillor Jon Burnside, recommends that:

1. City Council authorize the City Solicitor to appeal the October 25, 2016 decision of the Toronto and East York Committee of Adjustment regarding 45 Roosevelt Road (Municipal File A0685/16TEY) to the Ontario Municipal Board.
2. City Council authorize the City Solicitor to attempt to negotiate with the applicant a resolution of the appeal in consultation with the Ward Councillor.
3. In the event that a resolution not be reached, City Council authorize the City Solicitor, along with appropriate City Staff, to attend the Ontario Municipal Board in order to oppose the variances requested in Application A0685/16TEY respecting 45 Roosevelt Road.

Summary

The applicant has applied to the Committee of Adjustment, Toronto and East York Panel for minor variances from the City-wide Zoning By-law 569-2013 and East York Zoning By-law 6752 to alter the existing two-storey semi-detached dwelling by constructing a rear two-storey addition and rear deck, rear basement walkout, and to enclose the existing front porch. The Application is known as municipal file number A0685/16TEY.

On October 25, 2016, the Committee approved the Application and related variances with a condition.

The City's concerns with this Application include the requested variances for increased lot coverage and floor space index, which are not in keeping with the prevailing character and built form of the surrounding area. In addition, the proposed increases to lot coverage and floor space index result in the need for additional variances related to reduced building setbacks and soft landscaping.

This Motion will give the City Solicitor authority to appeal the Committee's Decision to the Ontario Municipal Board. This Motion will also give the City Solicitor authority to attempt to negotiate with the applicant a resolution of the appeal in consultation with the Ward Councillor. In the event that a resolution is not reached, this Motion authorizes the City Solicitor, and appropriate City Staff, to attend the Ontario Municipal Board in order to oppose the variances approved by the Committee in its Decision.

This matter is time sensitive and urgent as the City Solicitor requires instructions to appeal the Committee's Decision to the Ontario Municipal Board prior to the statutory appeal deadline on November 14, 2016.

Background Information (City Council)

Member Motion MM22.28

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission for 45 Roosevelt Road

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-98188.pdf>)

(October 20, 2016) Report from the Director, Community Planning, Toronto and East York District on 45 Roosevelt Road

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-98189.pdf>)