

City Council**Motion without Notice**

MM22.35	ACTION			Ward:37
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72 Gooderham Drive - Authority to Attend an Ontario Municipal Board Hearing - by Councillor Michael Thompson, 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 Michael Thompson, seconded by Councillor Joe Cressy, recommends that:

1. City Council authorize the City Solicitor to appeal the November 3, 2016 decisions of the Committee of Adjustment, Scarborough Panel regarding Application B0053/16SC, A0267/16SC, and A0268/16SC respecting 72 Gooderham Drive to the Ontario Municipal Board.
2. City Council authorize the City Solicitor, along with appropriate City Staff, to attend the Ontario Municipal Board in order to oppose the severance and variances requested in Application B0053/16SC, A0267/16SC, and A0268/16SC respecting 72 Gooderham Drive and to retain outside consultants as necessary.

Summary

The applicant has applied to the Committee of Adjustment, Scarborough Panel to obtain consent to sever the property at 72 Gooderham Drive into two undersized residential lots and for associated minor variances from the City-wide Zoning By-law 569-2013 and the Wexford Community Zoning By-law 9511 to permit reduced lot frontages and reduced side yard setbacks on the proposed new lots. The Applications are known as municipal file numbers B0053/16SC, A0267/16SC, and A0268/16SC.

On November 3, 2016, the Committee of Adjustment, Scarborough Panel approved the Applications with conditions.

The City remains concerned with the Applications because, if approved, the proposed severance will result in two undersized lots that are out of character with surrounding properties in this area. In addition, the proposed variances for reduced lot frontages and reduced side yard setbacks will result in structures that are overly large on undersized lots. As proposed, the severance and the variances will result in lots and dwellings that will be disruptive to the

prevailing streetscape and which may cause undue adverse impacts on surrounding properties.

This Motion will give the City Solicitor authority to appeal the Committee of Adjustment, Scarborough Panel's Decision to the Ontario Municipal Board. This Motion will also authorize the City Solicitor, and appropriate City Staff, to attend the Ontario Municipal Board in order to oppose the proposed severance and variances requested in the Applications and to retain outside consultants as necessary.

This matter is time sensitive and urgent as the City Solicitor requires instructions to appeal the Committee of Adjustment, Scarborough Panel's Decision to the Ontario Municipal Board prior to the statutory appeal deadline on November 23, 2016.

Background Information (City Council)

Member Motion MM22.35

Committee of Adjustment, Scarborough Panel Notices of Decisions on applications for Consent and Minor Variance/Permission for 72 Gooderham Drive

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-98192.pdf>)