

City Council

Motion without Notice

MM23.42	ACTION			Ward:30
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66 Brooklyn Avenue - Authority to Attend an Ontario Municipal Board Hearing - by Councillor Paula Fletcher, seconded by Councillor Mary Fragedakis

** 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 Paula Fletcher, seconded by Councillor Mary Fragedakis, recommends that:

1. City Council authorize the City Solicitor to attempt to negotiate with the applicant a resolution of the City concerns, in consultation with the Ward Councillor respecting Application A0387/16TEY respecting 66 Brooklyn Avenue.
2. In the event that a resolution cannot be reached, City Council authorize the City Solicitor, along with appropriate City Staff, to attend the Ontario Municipal Board in order to oppose the approved variances in Application A0387/16TEY respecting 66 Brooklyn Avenue.

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 former City of Toronto Zoning By-law 438-86 to alter the existing two and a half storey detached dwelling by constructing a rear two-storey addition, a rear deck, and a rear detached garage. The Application is known as municipal file number A0387/16TEY.

On July 27, 2016, the Committee approved the requested variances on condition. Prior to the Committee of Adjustment's Decision, the applicant modified the Application, removing variances related to the rear detached garage.

The Committee's Decision to approve the Application was appealed to the Ontario Municipal Board by an immediate neighbour. The Appeal is known as Ontario Municipal Board File No. PL160902.

Member Motion MM22.38 adopted by City Council on November 8 and 9, 2016, which authorized the City Solicitor, along with appropriate City staff, to attend the Ontario Municipal Board and to retain outside consultants, as necessary, in order to oppose the Committee of

Adjustment's Decision approving the Application and oppose the approved variances. Council's previous decision is attached to this Motion.

Further discussions have occurred that now require revised instructions to authorize the City Solicitor to attempt to settle the City's concerns with the applicant, in consultation with the Ward Councillor.

This matter is time sensitive and urgent as the Appeal is scheduled to be heard by the Ontario Municipal Board on February 3, 2017.

Background Information (City Council)

Member Motion MM23.42

Member Motion MM22.38 adopted by City Council on November 8 and 9, 2016

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-99342.pdf>)