

City Council

Motion without Notice

MM31.52	ACTION			Ward:32
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1912 Queen Street East - Request for City Solicitor to Attend a Toronto Local Appeal Body Hearing - by Councillor Mary-Margaret McMahon, seconded by Councillor Ana Bailão

** 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

Mary-Margaret McMahon, seconded by Councillor Ana Bailão, recommends that:

1. City Council authorize the City Solicitor, along with appropriate City staff, to attend the Toronto Local Appeal Body, to uphold the refusal of the Committee of Adjustment for application A0059/17TEY respecting 1912 Queen Street East.

Summary

On May 30, 2017, the Toronto and East York Panel of the Committee of Adjustment (the "Committee") refused an application (A0059/17TEY) for minor variances related to the property municipally known as 1912 Queen Street East (the "Application"). The Application sought to alter the existing three-storey mixed-use building containing retail and two residential units by constructing a three-storey rear addition and a two storey front addition above the existing retail space. A total of four residential units are proposed to be contained within the building.

In a report from the Director, Community Planning, Toronto and East York District dated May 24, 2017, Community Planning Staff opposed the variances for the height of the main front wall, setback from the curb to the building face, and the rear yard setback, which they believe do not conform with the general intent of the applicable Zoning By-law and the Official Plan as amended. As such, Planning staff recommended refusal of the application.

The Application is located in an area which has been the subject of several City Planning initiatives including City Council adopted Urban Design Guidelines for Queen Street East (2012), a City-Initiated Zoning Amendment to further implement certain aspects of the Urban Design Guidelines through By-law 607-2013 and a City-Initiated Official Plan Amendment to further implement the outcome of the Queen Street East Visioning Study (Official Plan Amendment 151 amended the Official Plan through By-law 716-2014).

This Motion would give the City Solicitor and appropriate City Staff authority to attend the Toronto Local Appeal Body to uphold the decision of the Committee of Adjustment and to defend the position set out in the Planning Staff report dated May 24, 2017.

This matter is urgent because the applicant has appealed the Committee's decision to the Toronto Local Appeal Body and a hearing date is set for September 15, 2017. The City Solicitor requires further instruction to participate in the appeal process.

Background Information (City Council)

Member Motion MM31.52

Committee of Adjustment Toronto and East York Panel Notice of Decision for Minor Variance/Permission for 1912 Queen Street East

(<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-105620.pdf>)