

### City Council

#### Notice of Motion

MM34.1	ACTION			Ward:29
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**666 Greenwood Avenue - Authority to Attend a Toronto Local Appeal Body Hearing - by Councillor Mary Fragedakis, seconded by Councillor Frances Nunziata**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Toronto and East York Community Council. A two-thirds vote is required to waive referral.*

*\* This Motion relates to a Toronto Local Appeal Body Hearing and has been deemed urgent.*

#### Recommendations

Councillor Mary Fragedakis, seconded by Councillor Frances Nunziata, recommends that:

1. City Council authorize the City Solicitor's appeal of the October 18, 2017 Decision of the Toronto and East York Committee of Adjustment regarding 666 Greenwood Avenue (Municipal Files B0038/17TEY, A0481/17TEY and A0482/17TEY) to the Toronto Local Appeal Body.
2. City Council authorize the City Solicitor and appropriate staff to attend the Toronto Local Appeal Body to oppose the Committee of Adjustment's Decision to approve the consent and minor variances respecting 666 Greenwood Avenue, including retaining outside consultants as necessary.
3. City Council authorize the City Solicitor to settle the matter on behalf of the City at the discretion of the City Solicitor, after consultation with the Ward Councillor.

#### Summary

The applicant has applied to the Committee of Adjustment, Toronto and East York Panel, for consent and minor variances from the City-wide Zoning By-law 569-2013 and the former municipality of Toronto Zoning By-law 438-86 to sever the property into two residential lots and relief from the applicable zoning by-laws to construct a new two-storey detached dwelling on each lot (the "Application"). The Application is known as municipal files B0038/17TEY, A0481/17TEY, and A0482/17TEY.

On October 18, 2017, the Committee approved the Application, consent and related variances with conditions.

Variances are requested on both the conveyed and retained lots with respect to first floor area within the house, side exterior main wall height, floor space index, front yard setback, side yard setback, garage entry location, rear deck projection, and rear deck height above grade.

City Planning staff, in the report (October 12, 2017) recommended refusal of the Application. The variances requested to facilitate the proposed dwellings are indicative of overdevelopment of the site. Among other things, the staff report raises concerns with respect to the massing of the proposed dwellings, the integral garages and the height of the rear deck.

In order to preserve the City's appeal rights, the City Solicitor has appealed the Decision of the Committee to the Toronto Local Appeal Body. This Motion will give the City Solicitor retroactive authority to continue the appeal of the Committee of Adjustment's Decision to the Toronto Local Appeal Body. This Motion authorizes the City Solicitor and appropriate staff to attend the Toronto Local Appeal Body in order to oppose the Decision of the Committee of Adjustment, including retaining outside consultants as necessary. This Motion also gives the City Solicitor authority to negotiate with the applicant a resolution of the appeal, in consultation with the Ward Councillor.

### **Background Information (City Council)**

Member Motion MM34.1

Committee of Adjustment Toronto and East York Panel Notices of Decisions on application for Consent and Minor Variance/Permission for 666 Greenwood Avenue

(<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-108512.pdf>)

(October 12, 2017) Report from the Director, Community Planning, Toronto and East York District on 666 Greenwood Avenue

(<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-108514.pdf>)