

City Council

Motion without Notice

MM34.20	ACTION			Ward:17
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49 and 51 Springmount Avenue - Request for Attendance at a Toronto Local Appeal Body Hearing - Appeal of the Committee of Adjustment's Decision - by Councillor Cesar Palacio, seconded by Councillor David Shiner

** Notice of this Motion has not been given. A two-thirds vote is required to waive notice.
* This Motion is subject to referral to the Etobicoke 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 Cesar Palacio, seconded by Councillor David Shiner, recommends that:

1. City Council authorize the City Solicitor and appropriate staff to attend the Toronto Local Appeal Body to uphold the Committee of Adjustment decision to refuse the minor variances and consents on application B0043; B0044; A0478; A0479; A0480/17EYK respecting 49 and 51 Springmount Avenue.
2. City Council authorize the City Solicitor to retain outside planning consultants to uphold the Committee of Adjustment decision to refuse the proposed variances and consents on application B0043; B0044; A0478; A0479; A0480/17EYK respecting 49 and 51 Springmount Avenue.

Summary

The Applicant applied to the Committee of Adjustment, Etobicoke York Panel, to demolish the existing dwellings on both lots and sever the plot of land to develop three 3-storey detached properties.

The Application is known as municipal files B0043; B0044; A0478; A0479; A0480/17EYK. At its hearing on October 12, 2017, the Committee of Adjustment refused the variances as a result of the application not satisfying the requirements of Section 51(24) of the Planning Act and is not approved for the following reason(s): the proposed land division is premature; the proposed land division does not conform to the policies of the official plan; the suitability of the land for the purposes for which it is to be subdivided has not been demonstrated; and the suitability of the dimensions and shapes of the proposed lots has not been demonstrated.

The decision documents are attached to this Motion. The Applicant appealed the Decision to

the Toronto Local Appeal Body, however, a hearing date has not yet been scheduled.

This Motion would give the City Solicitor and outside planning consultants authority to attend the Toronto Local Appeal Body hearing when scheduled and uphold the decision of the Committee of Adjustment to refuse the minor variances regarding the application for 49 and 51 Springmount Avenue.

Background Information (City Council)

Revised Member Motion MM34.20

(<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-108763.pdf>)

(October 12, 2017) Committee of Adjustment, Etobicoke York Panel Notice of Decision on Consent for 51 Springmount Avenue

(<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-108764.pdf>)

(October 12, 2017) Committee of Adjustment, Etobicoke York Panel Notice of Decision on Consent for 49 Springmount Avenue

(<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-108759.pdf>)

(October 12, 2017) Committee of Adjustment, Etobicoke York Panel Notice of Decision on application for Minor Variance/Permission for 49 Springmount Avenue and 51 Springmount Avenue

(<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-108780.pdf>)

(October 12, 2017) Committee of Adjustment, Etobicoke York Panel Notice of Decision on application for Minor Variance/Permission for 51 Springmount Avenue

(<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-108781.pdf>)

(October 12, 2017) Committee of Adjustment, Etobicoke York Panel Notice of Decision on application for Minor Variance/Permission for 49 Springmount Avenue

(<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-108782.pdf>)