

City Council**Motion without Notice**

MM38.33	ACTION			Ward:6
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74 Royal York Road - Request for Representation at the Toronto Local Appeal Body - by Councillor Mark Grimes, seconded by Councillor Vincent Crisanti

** 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 Mark Grimes, seconded by Councillor Vincent Crisanti, recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Toronto Local Appeal Body in order to oppose this appeal unless the Toronto Local Appeal Body imposes the conditions of approval detailed in the report (January 8, 2018) from the Director, Community Planning, Etobicoke York District and the memorandum (January 3, 2018) from the Manager, Traffic Planning/Right of Way Management, Transportation Services, and any other such conditions that are deemed necessary or appropriate to the satisfaction of the City Solicitor, in consultation with the Acting Chief Planner and Executive Director, City Planning, or designates, and the General Manager, Transportation Services, or designates, and the local Ward Councillor, and to retain outside consultants, as necessary.
2. City Council authorize the City Solicitor, and any necessary staff, to take all steps necessary, at the City Solicitor's discretion, to bring resolution to the matter, in consultation with the local Councillor.

Summary

The applicant applied to the Committee of Adjustment, Etobicoke-York Panel, (the "Committee") to convert the existing electronic retail store to a daycare and/or nurse school for the property municipally known as 74 Royal York Road, under the municipal application number A0390/17EYK (the "Application"). The Application seeks variances from the City-wide Zoning By-law 569-2013 and former Etobicoke Zoning Code.

On January 11, 2018, the Committee refused the Application, as the minor variances did not meet the Planning Act's four tests (the "Decision"). In their report, Planning Staff were of the opinion that they would not object to the application subject to the following condition:

That there be a maximum of nine (9) on-site staff (including supervisory staff).

Similarly, in their report, Transportation Services Staff were of the opinion that they would have no objections, subject to several conditions being imposed. Those conditions are detailed on pages 3 and 4 of Attachment 3. Copies of the Notices of Decision and Staff Reports are attached.

The applicant has appealed the Committee's Decisions to the Toronto Local Appeal Body.

The basis of these recommendations is to authorize the City Solicitor, and appropriate staff, to attend the Toronto Local Appeal Body to oppose the applicant's appeal, unless the Toronto Local Appeal Body imposes the conditions outlined in these reports (Attachment 2 and Attachment 3), and for the City Solicitor to take any such other necessary steps to resolve this matter.

Background Information (City Council)

Member Motion MM38.33

Committee of Adjustment Etobicoke York Panel Notice of Decision on application for Minor Variance/Permission for 74 Royal York Road

(<http://www.toronto.ca/legdocs/mmis/2018/mm/bgrd/backgroundfile-113681.pdf>)

(January 8, 2018) Report from the Director, Community Planning, Etobicoke York District on 74 Royal York Road

(<http://www.toronto.ca/legdocs/mmis/2018/mm/bgrd/backgroundfile-113682.pdf>)

(January 3, 2018) Memorandum from the Manager, Traffic Planning/R-O-W Management, Transportation Services

(<http://www.toronto.ca/legdocs/mmis/2018/mm/bgrd/backgroundfile-113683.pdf>)