TORONTO Member Motion

City Council

Notice of Motion

MM39.10	ACTION			Ward:25

133 and 137 Sherwood Avenue - Authority to Attend a Toronto Local Appeal Body Hearing - by Councillor Jaye Robinson, seconded by Councillor Gary Crawford

**** Notice of this Motion has been given.***
**** This Motion is subject to referral to the North 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 Jaye Robinson, seconded by Councillor Gary Crawford, recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Toronto Local Appeal Body in order to oppose the applicant's appeal of the Committee of Adjustment decisions dated March 21, 2018, refusing the applications for minor variances respecting 133 and 137 Sherwood Avenue (Applications A0682/17NY and A0683/17NY).

2. City Council authorize the City Solicitor to retain outside consultants, as necessary.

3. City Council authorize the City Solicitor to attempt to negotiate a resolution of the appeal and if a resolution is reached, to settle the appeal at the City Solicitor's discretion after consultation with the Ward Councillor.

Summary

The applicant has applied to the Committee of Adjustment, North York Panel (the "Committee") for minor variances from the City-wide Zoning By-law 569-2013 and the former City of Toronto Zoning By-law 438-86 to construct a new two-storey semi-detached dwelling with integral garages, with one half of the semi being proposed on each lot (the "Applications"). The Applications are known as municipal file numbers A0682/17NY and A0683/17NY.

On March 21, 2018, the Committee refused the Applications (the "Decisions").

Variances are requested on both lots with respect to platform setbacks, side yard setback, floor space index, garage entry location, building height, exterior main wall height, first floor height, integral garages, front porch height, rear deck height, maximum height, and front porch projection.

On April 10, 2018, the applicant appealed the Decisions to the Toronto Local Appeal Body.

The purpose of this Motion is to authorize the City Solicitor, and appropriate staff, to attend the Toronto Local Appeal Body hearing to oppose the applicant's appeal, including retaining outside consultants as necessary. This Motion also gives the City Solicitor authority to negotiate with the applicant a resolution of the appeal after consultation with the Ward Councillor.

Background Information (City Council)

Member Motion MM39.10
Committee of Adjustment, North York Panel Notices of Decisions on applications for Minor Variance/Permission for 133 and 137 Sherwood Avenue
(http://www.toronto.ca/legdocs/mmis/2018/mm/bgrd/backgroundfile-114339.pdf)
(March 13, 2018) Report from the Director, Community Planning, North York District on 133 Sherwood Avenue
(http://www.toronto.ca/legdocs/mmis/2018/mm/bgrd/backgroundfile-114340.pdf)
(March 13, 2018) Report from the Director, Community Planning, North York District on 137 Sherwood Avenue
(http://www.toronto.ca/legdocs/mmis/2018/mm/bgrd/backgroundfile-114368.pdf)