TORONTO Member Motion

City Council

Motion without Notice

MM39.21	ACTION			Ward:6

32 Thirty Sixth Street - Authority to Attend a Toronto Local Appeal Body Hearing - by Councillor Mark Grimes, seconded by Councillor Joe Mihevc

**** 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 Joe Mihevc, recommends that:

1. City Council authorize the City Solicitor to appeal the decisions of the Committee of Adjustment to approve the consent and minor variance applications for 32 Thirty Sixth Street (B0090/16EYK, A0987/16EYK & A0988/16EYK) to the Toronto Local Appeal Body.

2. City Council authorize the City Solicitor and appropriate City staff to attend the Toronto Local Appeal Body hearing in opposition of the requested consent and minor variances for 32 Thirty Sixth Street (B0090/16EYK, A0987/16EYK & A0988/16EYK), and to retain outside consultants, as necessary.

3. City Council authorize the City Solicitor to resolve the appeals in the City Solicitor's discretion and in consultation with the Ward Councillor and the Chief Planner and Executive Director, City Planning.

Summary

The applicant has applied to the Committee of Adjustment, Etobicoke York Panel, (the "Committee") for consent and minor variances from the City-wide Zoning By-law 569-2013 and the former Etobicoke York Zoning Code to sever the property into two residential lots and to construct a new detached dwelling on each lot (the "Application"). The Application is known as municipal file numbers B0090/16EYK, A0987/16EYK, and A0988/16EYK.

On April 12, 2018, the Committee approved the Application with conditions (the "Decision"). Variances are requested for each of the proposed lots with respect to lot frontage, lot area, floor space index, side yard setback, roof eaves projection, building length, and front yard landscaping.

City Planning staff, in its report dated January 12, 2018, recommended refusal of the

Application. Staff are of the opinion that the proposed severance and resulting minor variances would allow for the creation of two undersized lots and the construction of two new detached dwellings that do not respect and reinforce the physical character of the established neighbourhood, and are not in keeping with the general purpose and intent of the Official Plan and Zoning By-laws.

Many area residents have expressed concern with the Application. This Motion will give the City Solicitor the authority to appeal the Decision to the Toronto Local Appeal Body prior to the appeal deadline of May 10, 2018. The recommendations will also authorize the City Solicitor, and appropriate staff, to attend the Toronto Local Appeal Body to oppose the requested consent and minor variances, including retaining outside consultants, as necessary. This Motion also gives the City Solicitor authority to resolve the appeals in the City Solicitor's discretion and in consultation with the Ward Councillor and the Chief Planner and Executive Director, City Planning.

This matter is time sensitive as the deadline for an appeal to be filed with the Toronto Local Appeal Body is May 2, 2018.

Background Information (City Council)

Member Motion MM39.21
Committee of Adjustment, Etobicoke York Panel Notices of Decisions on applications for Consent and Minor Variance for 32 Thirty Sixth Street
(http://www.toronto.ca/legdocs/mmis/2018/mm/bgrd/backgroundfile-114563.pdf)
(January 12, 2018) Report from the Director, Community Planning, Etobicoke York District on 32 Thirty Sixth Street
(http://www.toronto.ca/legdocs/mmis/2018/mm/bgrd/backgroundfile-114551.pdf)