

City Council

Notice of Motion

MM43.3	ACTION			Ward:6
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80 Thirty Ninth Street - Authority to Attend a Toronto Local Appeal Body Hearing - by Councillor Mark Grimes, seconded by Councillor Vincent Crisanti

** Notice of this Motion has been given.*

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

1. City Council authorize the City Solicitor and appropriate City staff to attend the Toronto Local Appeal Body hearing to oppose the Applicant's appeal of the Committee of Adjustment Etobicoke York Panel's decision refusing the consent and minor variances requested in Applications B0079/17EYK, A0789/17EYK and A0790/17EYK respecting 80 Thirty Ninth Street, and to retain outside consultants as necessary.
2. City Council authorize the City Solicitor to resolve the appeals in the City Solicitor's discretion, in consultation with the Ward Councillor and the Chief Planner and Executive Director, City Planning.

Summary

On Thursday, April 12, 2018, the Etobicoke York Panel of the Committee of Adjustment (the "Committee") refused an application for consent to sever and two associated applications for minor variances from the City-wide Zoning By-law 569-2013 and the former Etobicoke Zoning Code related to the property municipally known as 80 Thirty Ninth Street (the "Applications"). The Applications sought to sever the subject property into two residential lots to allow the construction of two new detached residential dwellings with integral garages.

On May 2, 2018, the Committee's decision to refuse the applications was appealed to the Toronto Local Appeal Body by the Applicant.

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 existing physical character of the neighbourhood and are not in keeping with the intent and purpose of the City's Official Plan and Zoning By-laws.

This matter is urgent as the hearing of the Toronto Local Appeal Body appeal has been scheduled for September 4, 2018. The City Solicitor requires further instructions and direction to proceed.

Background Information (City Council)

Member Motion MM43.3

Committee of Adjustment Etobicoke York Panel Notice of Decision on Consent for 80 Thirty Ninth Street

<http://www.toronto.ca/legdocs/mmis/2018/mm/bgrd/backgroundfile-117189.pdf>

Committee of Adjustment Etobicoke York Panel Notice of Decision on application for Minor Variance/Permission for 80 Thirty Ninth Street - Part 1

<http://www.toronto.ca/legdocs/mmis/2018/mm/bgrd/backgroundfile-117190.pdf>

Committee of Adjustment Etobicoke York Panel Notice of Decision on application for Minor Variance/Permission for 80 Thirty Ninth Street - Part 2

<http://www.toronto.ca/legdocs/mmis/2018/mm/bgrd/backgroundfile-117191.pdf>