

City Council**Motion without Notice**

MM43.49	ACTION			Ward:29
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1258 Broadview Avenue - Request for Representation at the Toronto Local Appeal Body - by Councillor Mary Fragedakis, seconded by Councillor John Filion

** 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 Mary Fragedakis, seconded by Councillor John Filion, recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Toronto Local Appeal Body with respect to the appeal of the Committee Decision (A1119/17TEY) regarding 1258 Broadview Avenue, and request that in the event the Toronto Local Appeal Body approves the Application, it impose the conditions requested by City staff.
2. City Council authorize the City Solicitor to settle the matter on behalf of the City at the discretion of the City Solicitor, after consultation with the Ward Councillor and the Chief Planner and Executive Director, City Planning.

Summary

The applicant applied to the Committee of Adjustment, Toronto and East York Panel, (the "Committee") to alter the existing two-storey detached dwelling containing one dwelling unit into a three-unit converted dwelling for the property municipally known as 1258 Broadview Avenue (A1119/17TEY) (the "Application"). The alterations include: the construction of a rear two-storey addition, a third storey addition, a rear exterior staircase, a front second storey balcony, and two additional dwelling units. The applicant is also seeking to construct a rear yard parking pad and to extend the driveway width in the rear yard.

The Committee refused the Application (the "Decision"). The applicant has appealed the Decision to the Toronto Local Appeal Body.

In a report (May 30, 2018) Community Planning Staff did not object to the variances as represented in the Application, however, Community Planning recommended that should the Committee approve the Application, the Committee impose the following condition:

1. That the third floor of the proposed dwelling have a maximum building length of 16.99

metres exclusive of the stairs and balcony and that the second and ground floor maximum building length is 18.00 metres exclusive of the stairs and balcony, as per the floor plans shown on drawings A-3.2 to A-3.5 received by the Committee of Adjustment on May 9, 2018.

A copy of the Committee of Adjustment, Toronto and East York Panel, Notice of Decision and the report (May 30, 2018) from the Director, Community Planning, Toronto and East York are attached.

The basis of these recommendations is to direct the City Solicitor and appropriate City staff to attend the Toronto Local Appeal Body with respect to the appeal of the Committee Decision (A1119/17TEY) regarding 1258 Broadview Avenue, and request that in the event the Toronto Local Appeal Body approves the Application, it impose the conditions requested by Community Planning staff. This Motion also authorizes the City Solicitor to settle the matter on behalf of the City at the discretion of the City Solicitor, after consultation with the Ward Councillor and the Chief Planner and Executive Director, City Planning.

Background Information (City Council)

Member Motion MM43.49

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission for 1258 Broadview Avenue

(<http://www.toronto.ca/legdocs/mmis/2018/mm/bgrd/backgroundfile-117741.pdf>)

(May 30, 2018) Report from the Director, Community Planning, Toronto and East York District on 1258 Broadview Avenue

(<http://www.toronto.ca/legdocs/mmis/2018/mm/bgrd/backgroundfile-117727.pdf>)