

City Council**Motion without Notice**

MM44.82	ACTION			Ward:31
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50 Holland Avenue - Authority to Attend a Toronto Local Appeal Body Hearing - by Councillor Janet Davis, seconded by Councillor Kristyn Wong-Tam

** 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 Janet Davis, seconded by Councillor Kristyn Wong-Tam, recommends that:

1. City Council direct the City Solicitor, along with appropriate City Staff, to attend the Toronto Local Appeal Body in order to oppose the applicant's appeal of the Toronto and East York Panel Committee of Adjustment's decision refusing the consent and minor variances requested in Application Nos. B0002/18TEY, A0079/18TEY and A0078/18TEY respecting 50 Holland Avenue.
2. City Council authorize the City Solicitor to attempt to negotiate a settlement, and if resolution is reached, to settle the matter on behalf of the City in the City Solicitor's discretion, in consultation with the Ward Councillor and Chief Planner and Executive Director, City Planning.
3. City Council authorize the City Solicitor, and any necessary staff, to take all steps necessary to bring resolution to the matter.

Summary

The applicant has applied to the Committee of Adjustment, Toronto and East York District, (the "Committee") for a consent to sever one lot into two separate lots and for minor variances from the City-wide Zoning By-law 569-2013 and former Borough of East York Zoning By-law 6752 to construct a new three storey detached dwelling with an integral garage on each newly created undersized lot (the "Applications"). The Applications are known as municipal file numbers B0002/18TEY, A0079/18TEY and A0078/18TEY respecting 50 Holland Avenue.

On June 19, 2018, City Planning recommended refusal of the Applications to the Committee. The applicant is seeking variances for lot frontage, lot area, building height, number of storeys, floor space index, area of the second storey deck, side yard setback and building length.

On June 27, 2018, the Committee refused the Applications, as the minor variances did not meet the Planning Act's four tests and the consent did not satisfy the requirements under the Planning Act (the "Decisions").

The Applicant has appealed the Committee's Decision to refuse the Applications to the Toronto Local Appeal Body, however no hearing date has been set.

The reason for urgency is the Toronto Local Appeal Body will be scheduling a hearing shortly and the City Solicitor would require instruction to oppose the applicant's appeal.

Background Information (City Council)

Member Motion MM44.82

Committee of Adjustment Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission for 50 Holland Avenue

<http://www.toronto.ca/legdocs/mmis/2018/mm/bgrd/backgroundfile-119287.pdf>

Report from the Director, Community Planning, Toronto and East York District on 50 Holland Avenue

<http://www.toronto.ca/legdocs/mmis/2018/mm/bgrd/backgroundfile-119288.pdf>