

Councillor Frances Nunziata

Council Speaker

Ward 5 York South—Weston



January 14, 2019

To: Chair and Members of Etobicoke York Community Council

Re: 10 Academy Road - Request for City Solicitor to Attend at the Toronto Local Appeal Body

SUMMARY:

Michael Manett (the "Applicant"), on behalf of the owners Daniel and Herminio Oliviera, applied to the Etobicoke-York Panel of the Committee of Adjustment (Application Numbers A0028/18EYK, A0029/18EYK and B0004/18EYK) (the "Applications") for minor variances and for consent to sever respecting the site at 10 Academy Road. The applicant sought consent to sever the property into two lots and proposed a new two storey single detached dwelling for each new lot.

On March 22, 2018, Community Planning for the Etobicoke York District wrote a report to the Committee of Adjustment recommending that the consent and minor variances be refused. On April 26, 2018, the Committee of Adjustment deferred the application to the next available hearing date in order to provide the applicant with time to consult with Community Planning and the Councillor's office. The owner met with Community Planning on April 30, 2018 and subsequently submitted revised plans. On October 4, 2018, Community Planning wrote a Revised Staff Report, which still recommended the refusal of the consent and minor variances because the proposed undersized residential lots and resulting variances would not respect and reinforce the existing physical character of the neighbourhood and would not be in keeping with the general intent and purpose of the Official Plan and the Zoning By-law.

On October 11, 2018, the Committee of Adjustment refused the applications. The decisions are attached to this Motion. The applicant appealed the decision on October 29, 2018. The City Solicitor brought a motion to the Toronto Local Appeal Body (the "TLAB") on January 3, 2019 to be added as a party to the proceeding.

This Motion will authorize the City Solicitor, and appropriate City Staff, to attend the TLAB in order to oppose the proposed variances and consent requested in the Applications.

This matter is time sensitive and urgent as the City Solicitor has already filed a motion to the Toronto Local Appeal Body to request party status and requires instructions to attend the hearing for this matter.

RECOMMENDATIONS:

That Etobicoke York Community Council recommend:

1. That City Council authorize the City Solicitor, along with appropriate City Staff, to attend the Toronto Local Appeal Body in order to oppose the variances and consent requested in Application Numbers A0028/18EYK, A0029/18EYK and B0004/18EYK respecting 10 Academy Road.

Sincerely,

Frances Nunziata
Councillor, Ward 5

ATTACHMENTS:

- Attachment 1: Notice of Decision of the Committee of Adjustment dated October 11, 2018 for Application No. A0028/18EYK
- Attachment 2: Notice of Decision of the Committee of Adjustment dated October 11, 2018 for Application No. A0029/18EYK
- Attachment 3: Notice of Decision of the Committee of Adjustment dated October 11, 2018 for Application No. B0004/18EYK