

City Council

Motion without Notice

MM3.25	ACTION			Ward: 3
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Appeal to the Toronto Local Appeal Body (TLAB) of Committee of Adjustment Applications for 77 Thirty Fifth Street - by Councillor Mark Grimes, seconded by Councillor Michael Thompson

** 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 Michael Thompson, recommends that:

1. City Council direct the City Solicitor to appeal the decisions of the Committee of Adjustment, Etobicoke District Panel to oppose the approval of the applicant's proposed development for 77 Thirty Fifth Street (Application Nos. B0084/18EYK, A0788/18EYK, and A0789/18EYK).
2. City Council authorize the City Solicitor and appropriate City staff to attend the Toronto Local Appeal Body to oppose the Committee of Adjustment's decision and to retain outside consultants as necessary.
3. City Council authorize the City Solicitor to attempt to negotiate a resolution of the appeal and, if a resolution is reached to settle the appeal at the City Solicitor's discretion, and in consultation with the Ward Councillor and the Chief Planner and Executive Director, City Planning.

Summary

On February 7, 2019, the Etobicoke District Panel of the Committee of Adjustment approved applications related to the property municipally known as 77 Thirty Fifth Street (the "Subject Property") for consent to sever the lot, and two associated applications for minor variances. The applications are filed as Application Nos. B0084/18EYK, A0788/18EYK, and A0789/18EYK. The applicant seeks to demolish the existing residential dwelling, sever the Subject Property into two lots, and build two semi-detached dwellings with integral garages.

The applications require variances to City-wide Zoning By-law No. 569-2013, including variances for lot frontage, lot area, gross floor area and encroachments into rear yard setbacks.

In two reports from the Supervisor, Tree Protection and Plan Review – West District, each

dated January 30, 2019, Urban Forestry staff requested deferral of the Committee of Adjustment application decision to confirm bylaw protected tree(s) can be adequately protected.

This Motion is urgent because the deadline to appeal the decisions is February 27, 2019.

Background Information (City Council)

Member Motion MM3.25

Committee of Adjustment Etobicoke Panel Notice of Decision on application for Minor Variance/Permission for 77 Thirty Fifth Street (Part 1)

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-130192.pdf>)

Committee of Adjustment Etobicoke Panel Notice of Decision on application for Minor Variance/Permission for 77 Thirty Fifth Street (Part 2)

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-130193.pdf>)

Committee of Adjustment Scarborough Panel Notice of Decision on application for Consent for 77 Thirty Fifth Street

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-130197.pdf>)

(January 30, 2019) Report from the Director, Community Planning, Etobicoke District for on 77 Thirty Fifth Street

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-130195.pdf>)

(January 30, 2019) Report from the Director, Community Planning, Etobicoke District for on 77 Thirty Fifth Street

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-130196.pdf>)