

City Council

Motion without Notice

MM5.31	ACTION			Ward: 19
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2401 Queen Street East - Representation at a Toronto Local Appeal Body Hearing - by Councillor Brad Bradford, seconded by Councillor Stephen Holyday

** 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 Brad Bradford, seconded by Councillor Stephen Holyday, recommends that:

1. City Council authorize and direct the City Solicitor, and any other appropriate City staff to attend the Toronto Local Appeal Body hearing for 2401 Queen Street East to uphold the Committee of Adjustment's refusal of the minor variances requested through Application A0452/18TEY.
2. City Council authorize the City Solicitor 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

The applicant applied to the Committee of Adjustment (Application A0452/14TEY) (the "Application") for minor variances to alter the existing three-storey 21-unit apartment building at 2401 Queen Street East. The applicant proposes to construct a three storey rear addition and third storey addition over the existing rear portion to create one additional work/live unit. The Application seeks variances with respect to the gross floor area, the minimum rear yard setbacks, the required angular plane and the parking space requirements. City Planning submitted a report to the Committee of Adjustment on July 27, 2018 (attached) recommending refusal of the Application based on its non-compliance with the intent of the Official Plan and zoning along the applicable portion of Queen Street East. At its hearing on February 27, 2019, the Committee of Adjustment refused the Application. The Notice of Decision is attached.

The applicant has appealed the Decision to the Toronto Local Appeal Body. This Motion will authorize the City Solicitor, and appropriate City Staff, to attend the Toronto Local Appeal

Body in order to oppose the proposed minor variances requested in the Application. This Motion will also give the City Solicitor authority to negotiate a settlement of the appeal and retain outside consultants, as necessary.

This matter is time sensitive and urgent as the decision of the Committee of Adjustment has been appealed to the Toronto Local Appeal Body and the City Solicitor requires instructions to attend the hearing in opposition of the proposal.

Background Information (City Council)

Member Motion MM5.31

Committee of Adjustment Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission for 2401 Queen Street East

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-131315.pdf>)

(July 27, 2018) Report from the Director, Community Planning, Toronto and East York District on 2401 Queen Street East

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-131316.pdf>)