

City Council

Notice of Motion

MM7.1	ACTION			Ward: 3
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889 Royal York Road - Representation at Toronto Local Appeal Body Hearing - by Councillor Mark Grimes, seconded by Councillor Mike Colle

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Etobicoke York Community Council. A two-thirds vote is required to waive referral.*

** This Motion relates to a Toronto Local Appeal Body Hearing and has been deemed urgent.*

Recommendations

Councillor Mark Grimes, seconded by Councillor Mike Colle, recommends that:

1. City Council direct the City Solicitor and any other appropriate City staff to attend the Toronto Local Appeal Body hearing in respect of 889 Royal York Road to uphold the Committee of Adjustment's refusal of the applicant's proposed development (Applications B0037/18EYK, A0311/18EYK, and A0310/18EYK).
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

On Thursday, March 28, 2019, the Etobicoke York District Panel of the Committee of Adjustment refused applications related to the property municipally known as 889 Royal York Road (the "Subject Property") for consent to sever the Subject Property and two associated applications for minor variances (Applications B0037/18EYK, A0311/18EYK, and A0310/18EYK). The applicant has appealed the Committee of Adjustment's refusal decision to the Toronto Local Appeal Body.

The applicant proposes to sever the Subject Property, which has a frontage of 15.24 metres, into two undersized residential lots. The application requires variances to City-wide Zoning By-law 569-2013 and the Etobicoke Zoning Code, as amended, including variances for lot frontage, lot area, lot coverage, maximum permitted floor space index, side yard setbacks, building length, encroachment of a platform into a setback, roof projection, and parking space

width.

Community Planning staff do not support the application. City Planning staff submitted a report dated February 13, 2019 to the Committee of Adjustment to recommend refusal of the consent and variances. Staff recommended refusal on the grounds that the applications to create two undersized residential lots is not in keeping with the established character and lot pattern of the neighbourhood.

Engineering and Construction Services staff, in a memorandum dated January 15, 2019, recommended that the Committee of Adjustment defer its consideration of the applications pending the resolution of certain conditions.

Copies of the Notices of Decision of the Committee of Adjustment, the Community Planning Staff Report, and the memorandum from Engineering and Construction Services are attached.

This Motion will authorize the City Solicitor to oppose the applicant's Toronto Local Appeal Body appeal and to secure the necessary authorization and resources to support the City's opposition to the appeal, including providing for the ability for the City Solicitor to settle the matter.

Background Information (City Council)

Member Motion MM7.1

Committee of Adjustment Etobicoke York Panel Notice of Decision on applications for Minor Variance/Permission and Consent for 889 Royal York Road

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-132790.pdf>)

(February 13, 2019) Report from the Director, Community Planning, Etobicoke York District on 889 Royal York Road

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-132791.pdf>)

(January 15, 2019) Memorandum from the Manager, Development Engineering, to Etobicoke York District on 889 Royal York Road

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-132808.pdf>)