

City Council

Motion without Notice

MM8.56	ACTION			Ward: 14
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34 Ellerbeck Street - City Solicitor Attendance at the Toronto Local Appeal Body - Appeal of Committee of Adjustment Decision (A1035/18TEY) - by Councillor Paula Fletcher, seconded by Councillor Ana Bailão

** 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 Paula Fletcher, seconded by Councillor Ana Bailão, recommends that:

1. City Council authorize the City Solicitor, along with appropriate City Staff, and outside consultants, as necessary, to attend the Toronto Local Appeal Body in order to support the Committee of Adjustment Decision respecting 34 Ellerbeck Street.
2. City Council authorize the City Solicitor to attempt to negotiate a resolution regarding the Appeal, and that the City Solicitor be authorized to resolve the matter on behalf of the City in the City Solicitor's discretion after consulting with the Ward Councillor and with the Director of Community Planning, Toronto and East York District.

Summary

This Motion will give the City Solicitor authority to attend the Toronto Local Appeal Body in order to support the Committee of Adjustment's decision refusing the minor variance application respecting 34 Ellerbeck Street (Application A1035/18TEY).

On May 7, 2019, the Toronto and East York District Panel of the Committee of Adjustment refused the Application regarding the property municipally known as 34 Ellerbeck Street to permit the owner to construct a parking pad in the front yard of an existing detached two-storey dwelling.

On May 21, 2019, the owner of 34 Ellerbeck Street appealed the Decision to the Toronto Local Appeal Body.

The Appeal, which will be considered by the Toronto Local Appeal Body, requires variances to the City-wide Zoning By-law 569-2013 and former City of Toronto Zoning By-law 438-86 including: permission to encroach stairs into a required building setback, reducing the amount

of front yard soft landscaping and locating a parking space in the front yard.

Background Information (City Council)

Member Motion MM8.56

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission for 34 Ellerbeck Street

<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-134948.pdf>

(April 25, 2019) Report from the Director, Community Planning, Toronto and East York District on 34 Ellerbeck Street

<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-134949.pdf>