

City Council

Notice of Motion

MM9.3	ACTION			Ward: 15
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34 Green Valley Road - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Jaye Robinson, seconded by Councillor Brad Bradford

** Notice of this Motion has been given.*

** This Motion is subject to referral to the North 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 Jaye Robinson, seconded by Councillor Brad Bradford, recommends that:

1. City Council authorize the City Solicitor and appropriate City Staff to attend at the Toronto Local Appeal Body hearing to oppose the variances requested in Application A0254/19NY respecting 34 Green Valley Road.
2. City Council authorize the City Solicitor to negotiate a settlement of the appeal of the decision in Application A0254/19NY respecting 34 Green Valley Road and settle the matter on behalf of the City at the City Solicitor's discretion after consultation with the Ward Councillor and with the Director of Community Planning, North York District.

Summary

On June 5, 2019, the North York Panel of the Committee of Adjustment (the "Committee") approved an application brought by the owner of 34 Green Valley Road for eleven minor variances, and refused two minor variance pertaining to front yard setback and front stair projection (the "Application"). A copy of the Committee's decision is attached. The Application proposed to demolish the existing structure to construct a new three-storey single detached dwelling.

On June 24, 2019, the owner appealed the Committee's decision to the Toronto Local Appeal Body.

In a report from the Director, Community Planning, North York District dated May 28, 2019, Community Planning Staff recommended the application be refused. A copy of the Planning report is attached. Community Planning Staff opined that the Application did not meet the intent and purpose of the Zoning By-law or Official Plan, identifying specifically the requested building height and length variances.

This Motion would give the City Solicitor the authority to attend the Toronto Local Appeal Body hearing in opposition to the application. It would also give the City Solicitor authority to settle the matter on behalf of the City in the City Solicitor's discretion after consultation with the Chief Planner and Executive Director, City Planning and the Ward Councillor.

Background Information (City Council)

Member Motion MM9.3

Committee of Adjustment North York Panel Notice of Decision on application for Minor Variance/Permission for 34 Green Valley Road

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-135710.pdf>)

(May 28, 2019) Report from the Director, Community Planning, North York District on 34 Green Valley Road

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-135711.pdf>)