

City Council**Notice of Motion**

MM9.16	ACTION			Ward: 8
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Representation at a Local Planning Appeal Tribunal hearing for 20 Sandringham Drive - by Councillor Mike Colle, seconded by Councillor James Pasternak

** 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 Local Planning Appeal Tribunal Hearing and has been deemed urgent.*

Recommendations

Councillor Mike Colle, seconded by Councillor James Pasternak, recommends that:

1. City Council direct the City Solicitor and any other appropriate City staff to attend the Local Planning Appeal Tribunal hearing for 20 Sandringham Drive in opposition to the appeal of the Committee of Adjustment decision.
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 June 5, 2019, the Committee of Adjustment (the "Committee") deferred an application for a minor variance to permit a reduction in the required rear yard setback for the existing dwelling for the property municipally known as 20 Sandringham Drive (Committee file A0246/19NY). On June 25, 2019, the Applicant appealed the Committee's decision.

This property is also the subject of an application for consent to sever the existing lot into two new lots (Committee file B0060/16NY). The consent application was appealed to the Ontario Municipal Board, which is now known as the Local Planning Appeal Tribunal. The consent application is before the LPAT because it was appealed before the Toronto Local Appeal Body started hearing appeals of consent and minor variance applications. The appeal was scheduled to be heard September 19, 2017, but has been adjourned indefinitely and has not been re-scheduled. At its meetings of July 4, 2017 and February 26, 2019, respectively, Council

adopted 2017.MM31.38 and 2019.MM3.9, instructing the City Solicitor and appropriate City staff to attend the Local Planning Appeal Tribunal hearing in opposition to the consent appeal, retain outside consultants as necessary, and attempt to negotiate a resolution.

Under the provisions of section 115 of the City of Toronto Act, 2006, consent and minor variance appeals that are related to existing appeals before the Local Planning Appeal Tribunal will also be directed to the Local Planning Appeal Tribunal, rather than the Toronto Local Appeal Body. Since there is an existing consent appeal before the Local Planning Appeal Tribunal for this property, this minor variance appeal will also be directed to the Local Planning Appeal Tribunal.

This Motion would authorize the City Solicitor and appropriate City staff to attend the Local Planning Appeal Tribunal hearing of the minor variance appeal, to retain outside consultants as necessary, and to negotiate a resolution in consultation with the Chief Planner and Executive Director, City Planning, and the Ward Councillor.

Background Information (City Council)

Member Motion MM9.16