

City Council**Motion without Notice**

MM9.41	ACTION			Ward: 12
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**32 Oxtan Avenue - Representation at Toronto Local Appeal Body
Appeal Hearing - by Councillor Josh Matlow, seconded by Councillor
Kristyn Wong-Tam**

** 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 Josh Matlow, seconded by Councillor Kristyn Wong-Tam, 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 32 Oxtan Avenue to oppose the Committee of Adjustment's approval of the applicant's proposed development (Application A0160/19TEY).
2. City Council authorize the City Solicitor to retain outside consultants as necessary and at the City Solicitor's discretion.
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 12, 2019, the Toronto and East York District Panel of the Committee of Adjustment approved applications related to the property municipally known as 32 Oxtan Avenue (the "Subject Property") for minor variances. The approval decision has been appealed to the Toronto Local Appeal Body.

The applicant proposes to modify an existing townhome. The application requires variances to City-wide Zoning By-law 569-2013, including variances for rear yard soft landscaping, maximum building height, maximum height of front and rear exterior walls, maximum building depth for a duplex, maximum floor space index, and the minimum side yard setback for a duplex.

The City Solicitor, at the City Solicitor's discretion, may need to retain external planning

consultants to provide evidence for the hearing of this appeal.

Copies of the Notice of Decision of the Committee of Adjustment is attached.

The decision of the Committee of Adjustment to approve the application has been appealed to the Toronto Local Appeal Body by other interested parties. This Motion will authorize the City Solicitor to support the appeal at the Toronto Local Appeal Body and to secure the necessary authorization and resources to support the City's opposition to the application, including providing for the ability for the City Solicitor to settle the matter.

Background Information (City Council)

Member Motion MM9.41

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission for 32 Oxtan Avenue

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-136073.pdf>)