

## City Council

### Motion without Notice

MM9.63	ACTION			Ward: 5
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**7-15 Ingram Drive - City Solicitor Attendance to the Toronto Local Appeal Body - Appeal of Committee of Adjustment Decision (A00275/19EYK) - by Councillor Frances Nunziata, seconded by Deputy Mayor Denzil Minnan-Wong**

*\* 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 Frances Nunziata, seconded by Deputy Mayor Denzil Minnan-Wong, recommends that:

1. City Council direct the City Solicitor, and any other appropriate City Staff, to attend the Toronto Local Appeal Body in respect of 7-15 Ingram Drive to uphold the Committee of Adjustment's approval with condition of Application A0275/19EYK.
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 after consulting with the Ward Councillor and the Chief Planner and Executive Director, City Planning.

### Summary

The Applicant, on behalf of Bluebird Ingram Storage Corp., applied to the Etobicoke York Panel of the Committee of Adjustment for minor variances respecting the site at 7-15 Ingram Drive. The Application (A0275/19EYK) sought permission to permit a self-storage warehouse on the site.

On June 13, 2019, Community Planning for the Etobicoke York District wrote a report to the Committee of Adjustment recommending that, should the Committee of Adjustment approve the Application, the Committee of Adjustment impose a condition that the self-storage warehouse be constructed in accordance with the Site Plan submitted to the Committee of Adjustment, and that any other variances appearing on the plans but not listed in the written decision are not authorized.

On June 20, 2019, the Committee of Adjustment approved the Application with the Condition. The decision is attached to this Motion. The Applicant, who was seeking approval without a condition, has appealed the decision to the Toronto Local Appeal Body.

It is important that the Condition of approval be applied to ensure that Community Planning has the opportunity to review any future expansion plans.

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.

This Motion is urgent as the Committee of Adjustment's decision has been appealed and the City Solicitor requires instructions to attend the hearing.

### **Background Information (City Council)**

Member Motion MM9.63

Committee of Adjustment Etobicoke York Panel Notice of Decision on application for Minor Variance/Permission for 7-11 Ingram Drive

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-136148.pdf>)

(June 13, 2019) Report from the Director, Community Planning, Etobicoke York District on 7-15 Ingram Drive

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-136149.pdf>)