

City Council**Motion without Notice**

MM11.19	ACTION			Ward: 21
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38 Munson Crescent - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Michael Thompson, seconded by Deputy Mayor Denzil Minnan-Wong

** Notice of this Motion has not been given. A two-thirds vote is required to waive notice.
* This Motion is subject to referral to the Scarborough Community Council. A two-thirds vote is required to waive referral.
* This Motion has been deemed urgent by the Chair.*

Recommendations

Councillor Michael Thompson, seconded by Deputy Mayor Denzil Minnan-Wong, recommends that:

1. City Council authorize the City Solicitor, along with appropriate City staff, to attend at the Toronto Local Appeal Body in order to oppose Application A0214/19SC respecting 38 Munson Crescent.
2. City Council authorize the City Solicitor to attempt to negotiate a resolution of the appeal of the decision in Application A0214/19SC respecting 38 Munson Crescent and authorize the City Solicitor to resolve the matter on behalf of the City in the City Solicitor's discretion after consulting with the Ward Councillor and the Director, Community Planning, Scarborough District.

Summary

On September 18, 2019, the Scarborough Panel of the Committee of Adjustment (the "Committee") refused a minor variance application for two variances: north side yard setback and front yard parking, in respect of the property municipally known as 38 Munson Crescent (the "Application"). A copy of the Committee's decision is attached. The Applicant is proposing to enclose a portion of the existing carport for living space and to construct an open porch at the rear of the house.

On October 7, 2019, the Applicant appealed the Committee's decision to refuse the Application to the Toronto Local Appeal Body.

In a report (September 6, 2019) from the Director, Community Planning Scarborough District, Community staff recommended refusal of one of the two proposed variances (variance two: front yard parking). A copy of the Planning report is attached. Community Planning staff

opined that the Applicant's request for front yard parking does not respect and reinforce the physical character of the neighbourhood as the predominant built form in the neighbourhood includes parking within a garage or carport. Therefore, Community Planning staff is of the opinion that the proposed front yard parking variance does not maintain the general intent and purpose of the Official Plan and the Zoning By-law.

This matter is time sensitive and urgent as the deadline for submitting the Notice of Intention to be a Party is November 12, 2019.

Background Information (City Council)

Member Motion MM11.19

Committee of Adjustment Scarborough District Panel Notice of Decision on application for Minor Variance/Permission for 38 Munson Crescent

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-139388.pdf>)

(September 6, 2019) Report from the Director, Community Planning, Scarborough Panel on 38 Munson Crescent

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-139389.pdf>)