

City Council

Notice of Motion

MM14.5	ACTION			Ward: 18
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318 Hounslow Avenue - Request for City Solicitor to Attend at the Toronto Local Appeal Body regarding Appeal of Committee of Adjustment Decision (B0034/19NY, A0531/19NY, A0532/19NY) - by Councillor John Filion, seconded by Councillor Shelley Carroll

** 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 Toronto Local Appeal Body Hearing and has been deemed urgent.*

Recommendations

Councillor John Filion, seconded by Councillor Shelley Carroll, recommends that:

1. City Council direct the City Solicitor to attend the Toronto Local Appeal Body in order to oppose the appeal of the Committee of Adjustment's decision to refuse the severance and minor variances requested in Applications B0034/19NY, A0531/19NY, A0532/19NY regarding 318 Hounslow Avenue.
2. City Council authorize the City Solicitor to attempt to negotiate a resolution regarding the appeal, and that the City Solicitor be authorized to resolve the matter on behalf of the City in the City Solicitor's discretion after consulting with the Ward Councillor and with the Director of Community Planning, North York District.

Summary

This Motion will give the City Solicitor authority with appropriate City Staff to attend the Toronto Local Appeal Body in order to support the Committee of Adjustment's decision refusing a severance and certain variances sought in an application respecting 318 Hounslow Avenue (Application B0034/19NY, A0531/19NY, A0532/19NY).

The Application sought a severance and variances to the City's Zoning By-law 569-2013 in order to permit the creation of two undersized residential lots. In a report Dated November 27, 2019, Community Planning recommended refusal of the proposed severance as it failed to satisfy the consent criteria of the Planning Act; staff also recommended refusal of the variances as they failed to satisfy the four tests set out in the Act.

On December 5, 2019, the North York District Panel of the Committee of Adjustment refused the severance and the variances. On December 18, 2019, the owner of 318 Hounslow Avenue appealed the Decision to the Toronto Local Appeal Body.

The Appeal, which will be considered by the Toronto Local Appeal Body, seeks to have the requested consent to sever and variances to the City-wide Zoning By-law 569-2013 granted, which would permit the creation of undersized residential lots.

This matter is urgent as the Toronto Local Appeal Body hearing is scheduled for April 29 and 30, 2020 and filing deadlines must be met in advance of that date.

Background Information (City Council)

Member Motion MM14.5

Committee of Adjustment North York Panel Notice of Decision on Consent for 318 Hounslow Avenue

(<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-145204.pdf>)

Committee of Adjustment North York Panel Notice of Decision on application for Minor Variance/Permission for 318 Hounslow Avenue (Part 1)

(<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-145205.pdf>)

Committee of Adjustment North York Panel Notice of Decision on application for Minor Variance/Permission for 318 Hounslow Avenue (Part 2)

(<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-145206.pdf>)

(January 27, 2020) Report from the Director, Community Planning, North York District on 318 Hounslow Avenue

(<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-145207.pdf>)