

City Council

Notice of Motion

MM14.16	ACTION			Ward: 2
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1218 Royal York Road - Request for City Solicitor to Attend at the Local Planning Appeal Tribunal - by Councillor Stephen Holyday, seconded by Councillor Frances Nunziata

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Etobicoke 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 Stephen Holyday, seconded by Councillor Frances Nunziata, recommends that:

1. City Council authorize the City Solicitor, along with appropriate City Staff, to attend the Local Planning Appeal Tribunal respecting 1218 Royal York Road, to oppose the Applicant's appeal of City Council's decision to refuse Zoning By-law Amendment application 18 271115WET 02 OZ (Local Planning Appeal Tribunal File PL190559), and to retain outside consultants as necessary.
2. City Council authorize the City Solicitor to negotiate a settlement of the Applicant's appeal of City Council's decision to refuse Zoning By-law Amendment application 18 271115WET 02 OZ (Local Planning Appeal Tribunal File PL190559) respecting 1218 Royal York Road, and City Council authorize the City Solicitor to settle the matter on behalf of the City in the City Solicitor's discretion after consultation with the Ward Councillor and the Director, Community Planning, Etobicoke York District.

Summary

The Applicant submitted an application that proposed to amend the City-wide Zoning By-law 569-2013 to permit a three-storey semi-detached dwelling on the lands municipally known as 1218 Royal York Road. The subject site is currently occupied by a two-storey detached dwelling with an attached garage, which is proposed to be demolished.

The subject site is located in a RD zone and a semi-detached dwelling is not a permitted residential building type in a RD zone. Site specific amendments are also required to provide applicable performance standards such as: building height, density, building length, building depth, exterior main wall heights, platform area and setbacks for the proposed development.

At the City Council meeting on October 2 and 3, 2019, City Council refused the Zoning By-law Amendment application: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EY8.1>.

The Applicant has filed an appeal of City Council's decision to refuse the Zoning By-law Amendment application to the Local Planning Appeal Tribunal. A case management conference has been scheduled. This Motion will authorize the City Solicitor to attend the Local Planning Appeal Tribunal in order to oppose the proposed rezoning application. This Motion will also give the City Solicitor the authority to retain an outside consultant and the authority to negotiate a settlement of the appeal.

This matter is time sensitive and urgent as the Applicant has filed an appeal to the Local Planning Appeal Tribunal and the required case management conference is scheduled on February 3, 2020.

Background Information (City Council)

Member Motion MM14.16