

City Council

Motion without Notice

MM14.20	ACTION			Ward: 5
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City Solicitor Attendance to the Toronto Local Appeal Body re: Appeal of Committee of Adjustment Decision (A0555/19EYK) for 5 Wadsworth Boulevard - by Councillor Frances Nunziata, seconded by Councillor Mark Grimes

** 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 Councillor Mark Grimes, recommends that:

1. City Council direct the City Solicitor to appeal the Decision of the Committee of Adjustment, Etobicoke York Panel to oppose the proposed development for 5 Wadsworth Boulevard (A0555/19EYK).
2. City Council authorize the City Solicitor and appropriate City staff to attend the Toronto Local Appeal Body to oppose the proposed development and 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

Setless Architecture (the "Applicant"), on behalf of the owner Lucas Rocky Dibratto, applied to the Etobicoke-York Panel of the Committee of Adjustment for minor variances respecting the site at 5 Wadsworth Boulevard (the "Original Application"). The Original Application sought permissions to construct a new detached dwelling with an attached garage.

On November 25, 2019, the Committee of Adjustment issued a Public Hearing Notice for the Original Application with the wrong hearing date and so on December 5, 2019 the Original Application was deferred. The Applicant subsequently submitted a revised application eliminating the variance for number of storeys and reducing the variances for floor space index, side yard setback and dwelling height, referenced as Committee of Adjustment File A0555/19EYK (the "Revised Application").

On December 23, 2019, Community Planning for the Etobicoke York District ("Community Planning") wrote a report to the Committee of Adjustment (Attachment 2) recommending that the Revised Application be refused, noting concerns with the proposed floor space index and dwelling height.

In addition to the concerns raised by Community Planning, objection to the Revised Application was voiced by several area residents.

On January 16, 2020, the Committee of Adjustment approved the Revised Application. The Decision is attached to this Motion.

This Motion will authorize the City Solicitor to appeal the Decision to the Toronto Local Appeal Body, and will authorize the City Solicitor and appropriate City staff to attend the Toronto Local Appeal Body to oppose the application.

This Motion is urgent as the last day to appeal the Decision to the Toronto Local Appeal Body is February 5, 2020.

Background Information (City Council)

(January 29, 2020) Member Motion MM14.20

Committee of Adjustment Etobicoke York Panel Notice of Decision on application for Minor Variance/Permission for 5 Wadsworth Boulevard

(<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-145677.pdf>)

(January 23, 2020) Report from the Director, Community Planning, Etobicoke York District on 5 Wadsworth Boulevard

(<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-145678.pdf>)