

City Council

Notice of Motion

MM27.16	ACTION			Ward: 15
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331 Shel Drake Boulevard - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Jaye Robinson, seconded by Councillor Brad Bradford

** Notice of this Motion has been given.*

** This Motion is subject to referral to North York Community Council. A two-thirds vote is required to waive referral.*

** This Motion relates to an Toronto Local Appeal Body Hearing and has been deemed urgent.*

Recommendations

Councillor Jaye Robinson, seconded by Councillor Brad Bradford, recommends that:

1. City Council authorize the City Solicitor and appropriate City Staff to attend at the Toronto Local Appeal Body hearing to oppose Application A0283/20NY respecting 331 Shel Drake Boulevard.
2. City Council authorize the City Solicitor to retain outside consultants as necessary.
3. City Council authorize the City Solicitor to negotiate a settlement of the appeal of Application A0283/20NY respecting 331 Shel Drake Boulevard 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 with the Director, Community Planning, North York District.

Summary

On September 17, 2020, the North York Panel of the Committee of Adjustment refused Application A0283/20NY brought by the owner of 331 Shel Drake Boulevard (the "Applicant") for minor variances in order to construct a new dwelling (the "Application"). A copy of the Committee's decision is attached.

In a report (August 25, 2020) from the Director, Community Planning, North York District, Community Planning Staff recommended that variances related to building height and Floor Space Index be modified to be more in keeping with the intent of the Zoning By-law and that if the application is approved, it be subject to conditions requiring that the Applicant provide permanent opaque screening or fencing along the west edge of the proposed front and rear balconies with a minimum height of 1.5 metres from the floor. A copy of the report is attached.

On September 25, 2020 the Applicant appealed the Committee of Adjustment's decision to the Toronto Local Appeal Body.

This Motion will authorize the City Solicitor to attend the Toronto Local Appeal Body in opposition to the Application, and to secure the necessary authorization and resources to support the City's position.

Background Information (City Council)

Member Motion MM27.16

Committee of Adjustment North York Panel Notice of Decision on application for Minor Variance/Permission/Consent for 331 Sheldrake Boulevard

<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-159338.pdf>

(August 25, 2020) Report from the Acting Director, Community Planning, North York District on 331 Sheldrake Boulevard

<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-159339.pdf>