



Member Motion

City Council

Notice of Motion

MM31.3	ACTION			Ward: 20
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14 Penaire Street - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Gary Crawford, seconded by Councillor Jennifer McKelvie

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Scarborough 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 Gary Crawford, seconded by Councillor Jennifer McKelvie, recommends that:

1. City Council authorize the City Solicitor and appropriate City Staff to attend at the Toronto Local Appeal Body hearing to support the Committee of Adjustment's decision to refuse the Consent and Minor Variance application requested in Applications B0031/20SC, A0197/20SC, and A0198/20SC, respecting 14 Penaire Street.
2. City Council authorize the City Solicitor to negotiate a resolution of the appeal of the decision in Applications B0031/20SC, A0197/20SC, and A0198/20SC, respecting 14 Penaire Street and City Council authorize the City Solicitor to settle the matter on behalf of the City at the City Solicitor's discretion after consultation with the Ward Councillor, and with the Director, Community Planning, Scarborough District.

Summary

On January 27, 2021, the Committee of Adjustment refused a Consent and Minor Variance application brought by the owners of 14 Penaire Street (the "Applications"). A copy of the Committee's decisions are attached. The Applications propose to sever the property into two undersized residential lots and to construct a detached dwelling on each lot.

In a report from the Director of Community Planning, dated January 18, 2021, Planning Staff opposed the Application. A copy of the Planning staff report is attached. Planning staff opined that the Applications do not maintain the intent and purpose of the Official Plan, do not maintain the intent and purpose of the Zoning By-law, are not minor and are not desirable for the appropriate development or use of the land.

On February 2, 2021, the owner appealed the Committee's decision to refuse the Applications

to the Toronto Local Appeal Body.

Background Information (City Council)

Member Motion MM31.3

Committee of Adjustment Scarborough Panel Notice of Decision on application for

Consent/Minor Variance/Permission for 14 Penaire Street

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-165248.pdf>)

(January 18, 2021) Report from the Director, Community Planning, Scarborough District on 14

Penaire Street, Committee of Adjustment Application

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-165247.pdf>)