

City Council

MM31.43	ACTION			Ward: 2
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3 Hartfield Road - Request for City Solicitor to Attend at the Toronto Local Appeal Body - Appeal of Committee of Adjustment Decision (A0338/20EYK) - by Councillor Stephen Holyday, seconded by Councillor Michael Ford

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 Stephen Holyday, seconded by Councillor Michael Ford, recommends that:

1. City Council direct the City Solicitor to appeal the Committee of Adjustment's Decision regarding 3 Hartfield Road (Application A0338/20EYK) and to attend the Toronto Local Appeal Body, with appropriate City staff, in order to oppose the minor variance Application A0338/20EYK regarding 3 Hartfield Road, and any other variances that may be requested.
2. City Council authorize the City Solicitor to retain outside consultants as may be necessary in order to oppose the Application.
3. City Council authorize the City Solicitor to attempt to negotiate a resolution regarding the Application and Appeal, and City Council authorize the City Solicitor 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, Etobicoke District.

Summary

This Motion will give the City Solicitor authority, along with appropriate City Staff, to appeal the Committee of Adjustment's decision approving the minor variance application at 3 Hartfield Road (Application A0338/20EYK) (the "Application") and attend the Toronto Local Appeal Body in order to oppose the Application.

The Application seeks to construct a new detached dwelling with an attached garage. The Application requires a total of nine (9) variances to Zoning By-law 569-2013 and By-law 1992-24. The variances sought relate to lot coverage, dwelling length, front yard setback, building height, height of main pedestrian entrance, number and area of platforms at the second and third floor.

Planning staff, in its original report to the Committee of Adjustment, raised concerns with

respect to the Application. Subsequently, Planning staff wrote a revised report recommending that the Committee of Adjustment defer hearing the Application in order for the applicant to provide revised drawings for City staff to review. Planning staff opines that the Application represents over-development of the site, is not keeping with the existing physical character of the neighbourhood, amongst other issues.

The Committee of Adjustment approved the Application. This Motion will direct the City Solicitor to appeal the Decision to the Toronto Local Appeal Body in order to oppose the Application.

The final day to appeal the Decision is April 12, 2021.

Background Information (City Council)

Member Motion MM31.43

Committee of Adjustment Etobicoke York Panel Notice of Decision on application for Minor Variance/Permission for 3 Hartfield Road

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-165588.pdf>)

Committee of Adjustment Etobicoke York Panel Notice of Decision on application for Minor Variance/Permission for 3 Hartfield Road

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-165589.pdf>)