
City Council

Notice of Motion

MM41.8	ACTION			Ward: 11
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Representation at a Toronto Local Appeal Body hearing for 21 Valley View - by Councillor Mike Layton, seconded by Councillor Joe Cressy

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Toronto and East York Community Council. A two-thirds vote is required to waive referral.*

** This Motion relates to a Toronto Local Appeal Body hearing and has been deemed urgent.*

Recommendations

Councillor Mike Layton, seconded by Councillor Joe Cressy, recommends that:

1. City Council authorize and direct the City Solicitor to seek party status in the appeal of the Committee of Adjustment's refusal of Application Number A0813/20TEY for 21 Valley View, and to attend the Toronto Local Appeal Body hearing(s), with appropriate City staff, in opposition to the proposal.
2. City Council authorize the City Solicitor to retain outside consultants as necessary.
3. City Council authorize the City Solicitor to attempt to negotiate a resolution of the appeals and, if a resolution is reached, to settle the appeals at the City Solicitor's discretion, and in consultation with the Ward Councillor and the Chief Planner and Executive Director, City Planning.

Summary

The applicant applied to the Committee of Adjustment (Application Number A0813/20TEY) (the "Application") seeking permission to alter the existing two-storey detached dwelling by constructing a rear one-storey addition.

The Application sought variances from Zoning By-law 569-2013 to reduce the required rear yard setback and the required setback from a stable top-of-bank, and exceed the maximum permitted building length and depth.

The City's Engineering and Construction Services division provided a memorandum to the Committee of Adjustment describing a sewer that is located on the abutting property and at the rear of 21 Valley View. The Engineering and Construction Services memorandum (attached) noted that City design standards require a 6 metre wide easement for operation and maintenance purposes and recommended that the Committee defer consideration of the Application or require the Owner to submit revised site plans deleting all proposed structures and encroachments that were to be located within the required easement lands.

At its hearing on January 12, 2022 the Committee of Adjustment refused the Application (the "Decision"). The Notice of Decision is attached. The applicant appealed the Decision on January 28, 2022.

This Motion will authorize the City Solicitor to seek party status in the appeal of the Decision and to attend the Toronto Local Appeal Body with appropriate City Staff or outside consultants, in order to oppose the minor variances requested in the Applications. This Motion will also give the City Solicitor authority to negotiate a settlement of the appeal and retain outside consultants as necessary.

Background Information (City Council)

Member Motion MM41.8

Committee of Adjustment Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission for 21 Valley View

(<https://www.toronto.ca/legdocs/mmis/2022/mm/bgrd/backgroundfile-222375.pdf>)

(November 10, 2021) Memorandum from the Manager, Development Engineering Toronto and East York District

(<https://www.toronto.ca/legdocs/mmis/2022/mm/bgrd/backgroundfile-222376.pdf>)