

City Council

Motion without Notice

MM42.28	ACTION			Ward: 15
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37 Wilket Road - Representation at Toronto Local Appeal Body Appeal Hearing - by Councillor Jaye Robinson, seconded by Councillor Mike Colle

** Notice of this Motion has not been given. A two-thirds vote is required to waive notice.
* This Motion is subject to referral to the North York Community Council. A two-thirds vote is required to waive referral.
* This Motion relates to a Toronto Local Appeal Body and has been deemed urgent.*

Recommendations

Councillor Jaye Robinson, seconded by Councillor Mike Colle, recommends that:

1. City Council direct the City Solicitor and any other appropriate City staff, to attend the Toronto Local Appeal Body hearing in respect of 37 Wilket Road, to oppose the Committee of Adjustment's approval of the applicant's proposed development (Applications B0030/21NY and A0483/21NY) and support the appeal.
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 appeal, and if a resolution is reached, to settle the appeal at the City Solicitor's discretion, and in consultation with the Ward Councillor and the Chief Planner and Executive Director, City Planning.

Summary

On March 8, 2022, the North York District Panel of the Committee of Adjustment approved applications related to the property municipally known as 37 Wilket Road (the "Subject Property") for consent to sever the lot, and an associated application for minor variances. The applications are filed as Applications B0030/21NY and A0483/21NY. The application has been appealed to the Toronto Local Appeal Body by a third party (Toronto Local Appeal Body Files 22 127840 S53 15 Toronto Local Appeal Body and 22 127841 S45 15).

The applicant proposes to sever the Subject Property, which is a through-lot that has a backyard on Bayview Avenue, into two undersized residential lots. The new parcel created from the severance would front onto Bayview Avenue. The applications require variances to City-wide Zoning By-law 569-2013 for the lot frontage of the retained lot.

The Notice of Decision of the Committee of Adjustment is attached.

This motion will authorize the City Solicitor to oppose the Committee of Adjustment's approval of the applications and support the Toronto Local Appeal Body appeal, as well as to secure the necessary authorization and resources to support the City's opposition to the appeal, including providing for the ability for the City Solicitor to settle the matter.

This motion is urgent because the file has already been appealed to the Toronto Local Appeal Body.

Background Information (City Council)

Member Motion MM42.28

Committee of Adjustment North York Panel Notice of Decision on application for Minor Variance/Permission/Consent for 37 Wilket Road

(<https://www.toronto.ca/legdocs/mmis/2022/mm/bgrd/backgroundfile-223982.pdf>)