

City Council

Motion without Notice

MM12.17	ACTION			Ward: 14
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169 Parkmount Road - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Paula Fletcher, seconded by Councillor Alejandra Bravo

** 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 Paula Fletcher, seconded by Councillor Alejandra Bravo, recommends that:

1. City Council authorize the City Solicitor to attend the Toronto Local Appeal Body to uphold the Committee of Adjustment's refusal of Application A0658/23TEY respecting 169 Parkmount Road.
2. City Council authorize the City Solicitor to retain outside consultants as necessary.
3. City Council authorize the City Solicitor to attempt negotiating a resolution regarding Application A0658/23TEY respecting 169 Parkmount Road, and City Council authorize the City Solicitor to resolve the matter on behalf of the City, in their discretion, after consulting with the Ward Councillor and the Director of Community Planning, Toronto and East York District.

Summary

On October 4, 2023, the Committee of Adjustment (the "Committee") refused an application brought by the owner of 169 Parkmount Road for a variance to the provisions of the City of Toronto Zoning By-law 569-2013 to construct a two-story garden suite with integral garage in the rear yard (the "Application"). A copy of the Committee's decision is attached.

On October 23, 2023, the owner appealed the Committee's decision to refuse the Application to the Toronto Local Appeal Body.

In a report from the Director, Community Planning, Toronto and East York District dated October 3, 2023, Community Planning Staff did not oppose the Application. A copy of the Planning report is attached.

The Application presents outstanding concerns relating, but not limited to location, size, consideration as a garden suite, safety, and functionality.

This motion authorizes the City Solicitor to attend the Toronto Local Appeal Body and oppose the appeal. The scheduling of this hearing is imminent and as such this Motion is urgent. This Motion will also give the City Solicitor authority to negotiate a settlement of the appeal and retain outside consultants as necessary.

Reason for Urgency: The Toronto Local Appeal Body Appeal came after the Notice of Motion Deadline and a hearing may be scheduled at any time.

Background Information (City Council)

Member Motion MM12.17

Committee of Adjustment Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission/Consent for 169 Parkmount Road

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-240575.pdf>)

(October 3, 2023) Report from the Director, Community Planning on 169 Parkmount Road Committee of Adjustment Application

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-240595.pdf>)