TORONTO Member Motion

City Council

Notice of Motion

MM7.5	ACTION			Ward: 30

521 Danforth Avenue – Ontario Municipal Board Hearing - by Councillor Paula Fletcher, seconded by Councillor Adam Vaughan

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 an Ontario Municipal Board Hearing and has been deemed urgent.***

Recommendations

Councillor Paula Fletcher, seconded by Councillor Adam Vaughan, recommends that:

1. City Council authorize the City Solicitor, and other appropriate staff to attend the Ontario Municipal Board (OMB) hearing on May 2, 2011 to uphold the decision of the Committee of Adjustment, Toronto and East York District regarding 521 Danforth Avenue (A0876/10TEY).

Summary

The owner of the property at 521 Danforth Avenue has appealed the decision of the Committee of Adjustment to refuse an application that would permit a rear second and third storey addition to the existing mixed commercial residential building. The existing garage located at the rear of the property would be converted to commercial space and would be used as an extension of the existing commercial space fronting onto Danforth Avenue. A copy of the minutes from the Committee of Adjustment's January 26th, 2011 meeting is attached to this Notice of Motion.

The City Planning Division wrote to the Committee of Adjustment recommending refusal of the variances related to the reduced setback from the Residential "R" district and laneway to the south, as they would be inconsistent with the intent of the Official Plan and the Zoning By-law and would negatively impact the adjacent residential properties on Fenwick Avenue. A copy of the Planning report is also attached.

This Notice of Motion pertains to an urgent matter for consideration because an Ontario Municipal Board hearing date has been scheduled for May 2, 2011. It would be appropriate for the City Solicitor and other staff to attend the OMB hearing to uphold the decision of the Committee of Adjustment.

(Submitted to City Council on April 12 and 13, 2011 as MM7.5)