

City Council**Notice of Motion**

MM25.9	ACTION			Ward:21
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Authority to attend an Ontario Municipal Board hearing regarding 22 Delavan Avenue - by Councillor Joe Mihevc, seconded by Councillor Mike Layton

** 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 Joe Mihevc, seconded by Councillor Mike Layton, recommends that:

1. In the event the applicant appeals the refusal of the Committee of Adjustment, City Council authorize the City Solicitor to attend the Ontario Municipal Board appeal hearing to support the Committee of Adjustment's decision in Application No. A0979/11TEY regarding 22 Delavan Avenue and to retain outside consultants as necessary.

Summary

On June 13, 2012, The Toronto and East York panel of the Committee of Adjustment refused an application for variances at 22 Delavan Avenue, and I expect that the applicant will appeal this decision to the Ontario Municipal Board. The C of A's decision notice is attached.

In my opinion, the Committee of Adjustment made the right decision by rejecting the application. I am concerned about this proposed development on a number of grounds, including the request for a substantial height variance for the front veranda (nearly double what is allowed), unreasonable setback proposals for the addition beyond a building depth of 17 metres, and the request to reduce the landscaped open space requirement by nearly half of what the by-law requires. I believe this proposed house is out of keeping with the neighbourhood and would have an undue negative impact on the community.

(Submitted to City Council on July 11 and 12, 2012 as MM25.9)

Background Information (City Council)

Member Motion MM25.9

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission for 22 Delavan Avenue

<http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-48945.pdf>