

City Council

Notice of Motion

MM25.20	ACTION			Ward:19
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384 Manning Avenue – Request for City Solicitor to attend at the Ontario Municipal Board - by Councillor Mike Layton, seconded by Councillor Gord Perks

** 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 Mike Layton, seconded by Councillor Gord Perks, recommends that:

1. In the event the Ontario Municipal Board adjourns the hearing in respect of 384 Manning Avenue to a date after the July 10 and 11, 2012 City Council meeting, City Council authorize the City Solicitor to appear at the Ontario Municipal Board and to retain outside consultants as necessary to support the decision of the Committee of Adjustment refusing Application No. A0158/12TEY for variances respecting 384 Manning Avenue.

Summary

At its hearing on April 18, 2012, the Committee of Adjustment refused Application No. A0158/12TEY, respecting 384 Manning Avenue, to legalize and to maintain an existing rear second floor cantilevered addition and to construct a third floor addition with a rear deck and a fourth dwelling unit to the existing 2 and 1/2-storey converted semi-detached dwelling containing three units.

A copy of the Notice of Decision of the Committee of Adjustment is attached. In the opinion of the Committee the application did not meet the general intent and purpose of the Official Plan or the Zoning By-law, the variances were not considered desirable for the appropriate development of the land and the variances were not considered minor.

The applicant has appealed the refusal of the Committee of Adjustment to the Ontario Municipal Board. The hearing date has been scheduled for July 9, 2012. The local Councillor has written to the Ontario Municipal Board requesting that the hearing be adjourned to allow the City to instruct the City Solicitor to attend in support of the Committee of Adjustment's refusal.

(Submitted to City Council on July 11 and 12, 2012 as MM25.20)

Background Information (City Council)

Member Motion MM25.20

Committee of Adjustment Toronto and East York Panel, Notice of Decision - 384 Manning Avenue

<http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-48970.pdf>