
City Council

Motion without Notice

MM45.23	ACTION			Ward:23
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Staff Representation at an Ontario Municipal Board Hearing for 155 Church Avenue - by Councillor John Filion, seconded by Councillor Joe Mihevc

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

Recommendations

Councillor John Filion, seconded by Councillor Joe Mihevc, recommends that:

1. City Council authorize the City Solicitor and the Chief Planner and Executive Director, City Planning, to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment's refusal of the lot severance and associated variances for 155 Church Avenue.

Summary

On November 6, 2013, the Committee of Adjustment North York Panel considered an application for Consent and Minor Variances submitted by Quicksilver Development Services, on behalf of the applicant, to permit the severance of the subject property into two residential building lots and the construction of a new two-storey dwelling on each of the proposed lots.

In their Staff Report, City Planning Staff recommended that the applications be refused on the grounds that the proposed severance of this lot did not respect the physical character of the neighbourhood with regards to lot frontage and area, and would not be in keeping with the intent of the Zoning By-laws.

On November 6, 2013, the Committee of Adjustment refused the consent applications on the grounds that the proposed land division does not conform to the policies of the official plan, the suitability of the land for the purposes for which it was to be subdivided was not demonstrated,

and the suitability of the dimensions and shapes of the proposed lots was not demonstrated. The associated variances were refused on the grounds that the general intent and purpose of the Official Plan and the Zoning By-law was not being maintained, the variances were not considered desirable for the appropriate development of the land, and, in the opinion of the Committee, the variances were not minor. On November 25, 2013, the applicant appealed this decision to the Ontario Municipal Board.

This issue is time sensitive as the City Solicitor and City Planner will require time to prepare for the hearing, which may be scheduled shortly after the next meeting of Council.

(Submitted to City Council on December 16 and 17, 2013 as MM45.23)

Background Information (City Council)

Member Motion MM45.23

(October 23, 2013) Committee of Adjustment North York Panel - Public Hearing Notice on Application for Consent for 155 Church Avenue

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-64937.pdf>

(October 31, 2013) Report from the Director, Community Planning, North York District on Committee of Adjustment Application for 155 Church Avenue

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-64938.pdf>

(November 6, 2013) Memorandum from Councillor John Filion to Committee of Adjustment, North York Panel on 155 Church Avenue

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-64939.pdf>

(November 6, 2013) Committee of Adjustment North York Panel - Notice of Decision on Consent for 155 Church Avenue

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-64940.pdf>

(November 6, 2013) Committee of Adjustment North York Panel - Notice of Appeal on Consent for 155 Church Avenue

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-64942.pdf>