

**City Council****Notice of Motion**

MM50.6	ACTION			Ward:23
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**Staff Representation at an Ontario Municipal Board Hearing for 157 Church Avenue - by Councillor John Filion, seconded by Councillor Joe Mihevc**

*\* Notice of this Motion has been given.*

*\* 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 to support the decision of the Committee of Adjustment to refuse the lot severance and associated variances for 157 Church Avenue.

**Summary**

On March 5, 2014, the Committee of Adjustment North York Panel considered an application for Consent and Minor Variances submitted by Glenn Rubinoff, on behalf of the owners, 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 report, City Planning Staff recommended that the applications be refused on the grounds that the proposed severance did not respect or reinforce the character of the neighbourhood, with regards to lot frontage and depth, and that the application did not meet the intent of the Zoning By-Laws for an R4 and RD zone.

On March 5, 2014, the Committee of Adjustment refused the consent applications on the grounds that the proposed land division was premature and did not conform to the policies of the Official Plan, the suitability of the land for the purposes for which it was to be subdivided had not been demonstrated, the suitability of the dimensions and shapes of the proposed lots had not been demonstrated, and the adequacy of roads, vehicular access, parking and loading facilities, utilities and municipal services had not been demonstrated. The associated variances were refused on the grounds that the general intent and purpose of the Official Plan and the Zoning By-law were 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 March 17, 2014, the applicant appealed this decision to the Ontario Municipal Board.

(Submitted to City Council on April 1 and 2, 2014 as MM50.6)

### **Background Information (City Council)**

Member Motion MM50.6

Committee of Adjustment North York Panel - Public Hearing Notice on Consent and Minor Variance for 157 Church Avenue

<http://www.toronto.ca/legdocs/mmis/2014/mm/bgrd/backgroundfile-67822.pdf>

Lot Study Results in the Neighbourhood of 157 Church Avenue

<http://www.toronto.ca/legdocs/mmis/2014/mm/bgrd/backgroundfile-67823.pdf>

(March 3, 2014) Report from the Director, Community Planning, North York District on 157 Church Avenue

<http://www.toronto.ca/legdocs/mmis/2014/mm/bgrd/backgroundfile-67824.pdf>

Committee of Adjustment North York Panel - Notice of Decision on Consent and Minor Variance for 157 Church Avenue

<http://www.toronto.ca/legdocs/mmis/2014/mm/bgrd/backgroundfile-67825.pdf>

Memorandum from Councillor John Filion, Ward 23 Willowdale, to the Committee of Adjustment North York Panel regarding 157 Church Avenue

<http://www.toronto.ca/legdocs/mmis/2014/mm/bgrd/backgroundfile-67827.pdf>