

**City Council****Motion without Notice**

MM5.30	ACTION			Ward:19
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**36 Delaware Avenue - Request for City Solicitor to attend at the Ontario Municipal Board - by Councillor Mike Layton, seconded by Councillor Sarah Doucette**

*\* This Motion has been deemed urgent by the Chair.*

*\* This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

**Recommendations**

Councillor Mike Layton, seconded by Councillor Sarah Doucette, recommends that:

1. City Council direct the City Solicitor, appropriate staff, and outside planning experts as required, to appear at the Ontario Municipal Board to support the Toronto and East York Committee of Adjustment's refusal of the application for variances for 36 Delaware Avenue.

**Summary**

At the hearing on January 14, 2015, the Committee of Adjustment refused Application No. A0198/14TEY respecting 36 Delaware Avenue and a request to alter the existing three-storey semi-detached dwelling containing 3 units by constructing a rear deck to the second storey.

Based on the requested variances, in the opinion of the Committee the application did not meet the general intent 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 June 3, 2015.

**Background Information (City Council)**

Member Motion MM5.30

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for  
Minor Variance/Permission for 36 Delaware Avenue

(<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-78740.pdf>)