

City Council**Motion without Notice**

MM8.34	ACTION			Ward:30
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OMB Hearing for 65 Langley Avenue - by Councillor Paula Fletcher, seconded by Councillor Janet Davis

** 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 Paula Fletcher, seconded by Councillor Janet Davis, recommends that:

1. City Council authorize the City Solicitor to appear in support of the Committee of Adjustment decisions B0015/15TEY, A0192/15TEY, A0193/15TEY regarding 65 Langley Avenue and to retain outside consultants as necessary to support the City's position.
2. City Council authorize the City Solicitor to continue discussions with the applicant to attempt to resolve the appeal.

Summary

Applications were submitted to the Committee of Adjustment for consent and minor variances for development on lands known municipally as 65 Langley Avenue (Application Nos. B0015/15TEY, A0192/15TEY, A0193/15TEY). At a hearing on May 27, 2015, the Committee refused each of the consent and minor variances, finding the each did not satisfy the applicable statutory tests under the Planning Act. The owner has appealed those decisions to the Ontario Municipal Board (OMB File No. PL150551). An OMB hearing has been scheduled in this matter for September 9 and 10, 2015.

Each of the minor variance applications request variances to zoning by-laws 438-86 and 569-2013 in order to permit the construct of a new detached dwelling. Those include variances for main wall height and maximum FSI/GFA associated with a built form that is out of keeping with the character of the neighbourhood. Additionally, application A0193/15TEY proposes a front parking pad. Such a parking solution is contrary to Chapter 918 of the Toronto Municipal Code and is out of keeping with the physical character of the neighbourhood.

The following recommendation seeks to instruct staff to appear in support of the Committee of Adjustment decisions. City Planning did not take issue with the built form of the application, and as such this Motion recommends granting City Legal the authority to retain outside planning consultants.

As an OMB hearing has been scheduled for September 9 and 10, 2015, prior to City Council's next meeting, it is imperative that City Legal be given instruction at this meeting of Council.

Background Information (City Council)

Member Motion MM8.34

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for Consent for 65 Langley Avenue

<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-82088.pdf>

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission for 65 Langley Avenue (Part 1)

<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-82090.pdf>

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission for 65 Langley Avenue (Part 2)

<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-82091.pdf>