

City Council**Notice of Motion**

MM12.15	ACTION			Ward:31
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Request for attendance at Ontario Municipal Board Hearing - 325 Westlake Avenue - by Councillor Janet Davis, 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 Janet Davis, seconded by Councillor Gord Perks, recommends that:

1. City Council authorize the City Solicitor and appropriate City staff to attend at the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to refuse the consent and minor variance applications related to 325 Westlake Avenue (B0058/15TEY, A0749/15TEY, and A0750/15TEY), and to retain outside consultants, if required.

Summary

On September 24, 2015, the Toronto and East York Panel of Committee of Adjustment refused consent and variance applications to redevelop 325 Westlake Avenue. The decisions of the Committee of Adjustment are attached. City Planning recommended refusal of the applications. The Planning report dated September 17, 2015 is attached. The applicant has appealed the decisions to the Ontario Municipal Board.

The applicant is seeking consent to sever the property into two residential lots. The existing building would be demolished and two new two-storey detached dwellings would be constructed. The Committee of Adjustment refused the consent application as the proposed lots did not meet the provisions of Section 51(24) of the Planning Act. The associated minor variance applications were also refused as they did not satisfy the four tests under the Planning Act.

On July 31, 2013, similar applications to sever and construct four detached homes at 325 and 323 Westlake Avenue were refused by the Committee of Adjustment. The Committee's decisions were upheld by the Ontario Municipal Board on April 14, 2014 and further clarified on February 9, 2015.

I am therefore seeking Council approval to direct staff to attend the Ontario Municipal Board in

support of the Committee of Adjustment decisions of September 24, 2015. This matter is urgent because an Ontario Municipal Board hearing has been scheduled for March 14, 2016.

Background Information (City Council)

Member Motion MM12.15

Committee of Adjustment, Toronto and East York District Notice of Decision on application for Consent and Minor Variance/Permission for 325 Westlake Avenue

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-88615.pdf>)

(September 17, 2015) Report from the Director, Community Planning, Toronto and East York District on 325 Westlake Avenue

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-88777.pdf>)