

City Council**Notice of Motion**

MM20.50	ACTION			Ward:19
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Request for Representation at the Ontario Municipal Board - 100 Delaware Avenue - by Councillor Mike Layton, seconded by Councillor Joe Cressy

** 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 Mike Layton, seconded by Councillor Joe Cressy, recommends that:

1. City Council authorize the City Solicitor and appropriate staff to attend the Ontario Municipal Board in support of the Committee of Adjustment's decision to grant the minor variance subject to the conditions imposed in Application No. A1303/15TEY for 100 Delaware Avenue.
2. City Council authorize the City Solicitor to retain outside consultants as necessary to attend the Ontario Municipal Board in support of the Committee of Adjustment's decision to grant the minor variance subject to the conditions imposed in Application No. A1303/15TEY for 100 Delaware Avenue.

Summary

The Applicant originally applied to the Committee of Adjustment, Toronto and East York District to obtain minor variances to construct a rear detached garage with a rooftop terrace.

Planning staff objected to the rooftop terrace on the garage. Following discussions with Planning staff, the Applicant revised his application and removed the rooftop terrace. The revised application requires one minor variance from Zoning By-law 569-2013 in order to permit the construction of a new rear detached garage (Application No. A1303/15TEY). The variance will permit a gross floor area of an ancillary structure of 54.13 m².

Planning staff have no objections to the revised application.

On April 6, 2016, the Committee of Adjustment approved the variance subject to two conditions (the "Decision"). A copy of the Notice of Decision is attached.

A resident at 102 Delaware Avenue has appealed the Decision to the Ontario Municipal Board. A hearing is scheduled for August 10, 2016.

This Motion would give the City Solicitor and appropriate staff authority to attend the Ontario Municipal Board to support the Committee of Adjustment's decision to grant the minor variance subject to the conditions imposed in the Decision, as well as give the City Solicitor authority to retain outside consultants as necessary in order to support the Decision.

Background Information (City Council)

Member Motion MM20.50

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission for 100 Delaware Avenue

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-94837.pdf>)