

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

MM22.23	ACTION			Ward:19
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**435 Concord Avenue - Authority to Attend an Ontario Municipal Board Hearing - by Councillor Mike Layton, seconded by Councillor Joe Cressy**

*\* 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 Joe Cressy, recommends that:

1. City Council authorize the City Solicitor to attend the Ontario Municipal Board and to retain outside consultants as necessary to oppose the proposed variances requested in Application A0106/16TEY respecting 435 Concord Avenue.

**Summary**

The applicant has applied to the Committee of Adjustment, Toronto and East York Panel, for minor variances from City-wide Zoning By-law 569-2013 and former City of Toronto Zoning By-law 438-86 to alter the existing 2½ -storey semi-detached dwelling at 435 Concord Avenue by constructing a rear two-storey addition and a basement walkout. The Application is known as municipal file number A0106/16TEY.

On September 13, 2016, the Committee of Adjustment, Toronto and East York Panel refused the Application and all the variances. In the opinion of the Committee of Adjustment, Toronto and East York Panel, the Application did not maintain the general intent and purpose of the Official Plan or the Zoning By-laws; 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 Committee of Adjustment, Toronto and East York Panel's Decision to refuse the Application to the Ontario Municipal Board.

This Motion will give the City Solicitor authority to attend the Ontario Municipal Board and to retain outside consultants as necessary in order to support the Committee of Adjustment, Toronto and East York Panel's Decision refusing the Application and oppose the proposed variances.

This matter is time sensitive and urgent as the applicant has already appealed the Committee of

Adjustment, Toronto and East York Panel's Decision refusing the Application to the Ontario Municipal Board.

**Background Information (City Council)**

Member Motion MM22.23

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission for 435 Concord Avenue

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-98153.pdf>)