

City Council

Notice of Motion

MM28.2	ACTION			Ward:29
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19 Lankin Boulevard - Authority to Attend an Ontario Municipal Board Hearing - by Councillor Mary Fragedakis, seconded by Councillor Glenn De Baeremaeker

** 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 Mary Fragedakis, seconded by Councillor Glenn De Baeremaeker, recommends that:

1. City Council authorize the City Solicitor, along with appropriate City staff, to attend the Ontario Municipal Board to oppose the proposed variances requested in Application A1155/16TEY respecting 19 Lankin Boulevard.
2. City Council authorize the City Solicitor to attempt to negotiate with the applicant, a resolution of the appeal, in consultation with the Ward Councillor and appropriate City staff.

Summary

The applicant has applied to the Committee of Adjustment, Toronto and East York Panel, (the "Committee") for minor variances to the City-wide Zoning By-law 569-2013 and the East York Zoning By-law 6752 to permit the construction of a four-storey detached dwelling with an integral garage and a rear fourth floor balcony at 19 Lankin Boulevard (the "Application"). The Application is known as municipal file number A1155/16TEY.

On March 28, 2017, the Committee refused the Application and all the variances (the "Decision"). In the opinion of the Committee, the Application did not maintain the general intent and purpose 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 Committee's Decision to refuse the Application to the Ontario Municipal Board.

The Application is of concern to the City because the variances related to height, number of

storeys, lot coverage and density are not in keeping with the physical character of this neighbourhood and do not meet the intent of the Official Plan and the applicable Zoning By-laws.

This Motion will give the City Solicitor, along with appropriate City staff, authority to attend the Ontario Municipal Board in order to oppose the Application and the requested variances. This Motion will also give the City Solicitor, in consultation with the Ward Councillor and appropriate City staff, authority to attempt to negotiate with the applicant a resolution of the City's concerns. In the event that a resolution is not reached, this Motion authorizes the City Solicitor, and appropriate City staff, to attend the Ontario Municipal Board in order to oppose the Application and the requested variances.

This matter is time sensitive and urgent as the applicant has already appealed the Committee's Decision to refuse the Application to the Ontario Municipal Board.

Background Information (City Council)

Member Motion MM28.2

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission for 19 Lankin Boulevard

(<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-103056.pdf>)

(March 17, 2017) Report from the Director, Community Planning, Toronto and East York District on 19 Lankin Boulevard

(<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-103057.pdf>)