

City Council**Notice of Motion**

MM29.9	ACTION			Ward:35
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3224 Danforth Avenue - Authority to Attend an Ontario Municipal Board Hearing - by Councillor Michelle Holland, seconded by Councillor Michael Thompson

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Scarborough 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 Michelle Holland, seconded by Councillor Michael Thompson, recommends that:

1. City Council direct the City Solicitor and appropriate City Staff to attend the Ontario Municipal Board to oppose the applicant's appeal of Committee of Adjustment Application A0355/16SC respecting 3224 Danforth Avenue, and to retain outside consultants as necessary.

Summary

The Scarborough District Panel of the Committee of Adjustment refused a minor variance application related to the property municipally known as 3224 Danforth Avenue on Thursday April 13, 2017.

The applicant is seeking relief from the provisions of Oakridge Community By-law 9511 and City-wide Zoning By-law 569-2013 to construct a third and fourth storey addition above the existing mixed use building and a four storey addition at the rear of the building. The building would contain commercial space on the ground floor and six apartment units on the upper floors. The applicant is also proposing to renovate and convert the detached building at the rear of the lot into a live/work residential unit. The proposal provides no on-site vehicle parking.

The requested minor variances relate to floor area, number of parking spaces, rear setback abutting a lane and side yard setbacks. The proposed dwelling unit in the rear detached building is not a permitted use under either Zoning By-law. The applicant has requested variances to permit a single-family dwelling on the subject property.

The applicant's proposal does not satisfy the criteria under subsection 45(1) of the Planning Act. The proposed minor variances do not maintain the general intent and purpose of the Official Plan and Zoning By-laws, are not desirable for the appropriate development of the land and are not minor.

Background Information (City Council)

Member Motion MM29.9

Committee of Adjustment Scarborough Panel Notice of Decision on application for Minor Variance/Permission for 3224 Danforth Avenue

<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-104004.pdf>