

MOTION
ETOBICOKE YORK COMMUNITY COUNCIL

**Request for Attendance at an Ontario Municipal Board Hearing – Appeal
of Committee of Adjustment Decisions for 742 Scarlett Road**

Moved by: **Councillor Ford**

Seconded by: **Councillor**

SUMMARY:

On June 26, 2008, the Committee of Adjustment refused an application for Consent to Sever the property at 742 Scarlett Road into 2 lots, and Minor Variance applications to permit demolition of the existing house and construction of 2 new two-storey houses (File Nos. A234/08EYK, A235/08EYK and B32/08EYK). Construction of the new houses required variances to the by-law standards related to lot frontage, lot area, lot depth and front yard setback.

City Planning Staff did not comment on the proposal but provided a lot frontage analysis of existing properties in the surrounding area to the Committee for information purposes.

Several residents appeared before the Committee in opposition to the application.

The agent for the applicant has appealed the Committee of Adjustment refusal decision to the Ontario Municipal Board. No hearing date has been scheduled.

In view of the refusal decision of the Committee of Adjustment, and the opposition to the development expressed by area residents, this motion is brought forward to authorize the City Solicitor to retain an outside planning consultant and to attend the Ontario Municipal Board hearing to oppose the applications and proposal.

RECOMMENDATIONS:

That City Council authorize the City Solicitor to retain an outside planning consultant and to attend the Ontario Municipal Board hearing to seek refusal of the Consent to Sever and Minor Variance applications No. A234/08EYK; A235/08EYK and B32/08EYK relating to 742 Scarlett Road.

Date: September 9, 2008

Attachment: Notices of Decision dated June 26, 2008 from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, Etobicoke York Panel respecting 742 Scarlett Road.

NOTICE OF DECISION

CONSENT
(Section 53 of the Planning Act)

File Number:	B32/08EYK	Zoning	R2 (Waiver)
Owner(s):	KONSTANTINOS FOTOPOULOS PETER FOTOPOULOS	Ward:	Etobicoke North (02)
Agent:	EROS FIACCONI EGF ASSOCIATES		
Property Address:	742 SCARLETT RD	Community:	
Legal Description:	PL 1650 LTS 82 & 83		

Notice was given and the application considered on Thursday, June 26, 2008, as required by the Planning Act.

THE CONSENT REQUESTED:

To sever the property into two undersized residential lots.

Retained - Part 2**Address to be assigned to a Yorkleigh Avenue address**

The proposed lot frontage is 18.26 m and the proposed lot area is 500.40 m². The existing dwelling will be demolished and the property will be developed as the site of a two-storey detached dwelling with an integral single car garage.

Conveyed - Part 1**Address to be assigned to a Yorkleigh Avenue address**

The proposed lot frontage is 18.26 m and the proposed lot area is 500.37 m². The existing dwelling will be demolished and the property will be developed as the site of a two-storey detached dwelling with an integral single car garage.

File Numbers B32/08EYK, A234/08EYK & A235/08EYK are considered jointly.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:**The Consent Application is Refused**

It is the decision of the Committee of Adjustment to **refuse** the applicant's request for consent.

The **reason** for the decision is that, in the opinion of the Committee of Adjustment, the proposal does not satisfy the matters that the Committee has to have regard to under **subsection 51(24) of the Planning Act**.