

NOTICE OF MOTION

**Appeal of Committee of Adjustment Decision and Request for Legal Staff and Outside Planning Consultant's attendance at the OMB
B0051/08NY; A0451/08NY; A0452/08NY – 18 Sherwood Avenue**

Moved by: Councillor JENKINS _____

SUMMARY:

An application to the Committee of Adjustment (COA), North York Panel for the division of a parcel of residential lands into two parts for conveyance purposes for the creation of a new building lot fronting onto Sherwood Avenue was refused by the committee on August 13th, 2008. Planning staff did not report on this application. The applicant appealed the COA decision to the Ontario Municipal Board (OMB). To date, an OMB hearing date has not been set.

In August 2007, the City successfully defended a similar COA decision at the OMB for a division of property at 159 and 161 Owen Blvd. in the St. Andrew's community. Another similar appeal at 12 Aldershot was also turned down at the OMB. The OMB decisions stated that the proposed lots were not compatible with the predominant lot size and character of the area and would negatively impact adjacent homeowners. Approval of this consent request would set a precedent for other lots in the area.

Approval of the request to sever the current lot at 18 Sherwood Avenue would result in the creation of two sub-standard lots that would be significantly out of character with other properties on the street and in the community. It is not an appropriate development of the property.

This application, like the others that were turned down by the OMB, does not meet the development criteria for established neighbourhoods as described in the Official Plan. There are other parcels of land in the area that could be subject to severance and inappropriate redevelopment if this application is approved and it would set a precedent for future development in the area.

RECOMMENDATION:

That Council authorize the City Solicitor to retain outside Planning Consultants and to attend the Ontario Municipal Board Hearing to uphold the decision of the Committee of Adjustment.

NYCC 7/10/2008