

NOTICE OF MOTION**Appeal of Committee of Adjustment Decision and Request for City Legal Staff and outside planning consultant attendance at the OMB
A0552/08NY – 241 GOLFDAL ROAD****Moved by: Councillor Jenkins** _____**SUMMARY:**

An application to the Committee of Adjustment, North York Panel, to permit the construction of a two-storey detached dwelling, was **modified** by the committee on September 24, 2008. The owner sought variances for an increase in Gross Floor Area to 0.609 times the area of the lot, whereas a GFA of 0.35 is permitted in the area; a front yard hard surface variance of 52.8%, whereas 40% is permitted; and a west side yard variance of 2.4m beyond the 17 m length, whereas 7.5 m is required.

The Committee modified the variance for GFA to allow a reduced gross floor area of 0.50 times the area of the lot - conditional on Forestry requirements, and **refused** the other two variances.

The City's new Official Plan speaks directly to this issue in **Policy 4.1.5** which states:

"Development in established Neighbourhoods will respect and reinforce the existing physical character of the neighbourhood."

There was no Staff Report on this application.

The new owners have appealed this decision to the Ontario Municipal Board. The Board has not scheduled a hearing as yet.

As the Councillor representing this community I request 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.**

RECOMMENDATIONS:

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.

October 31, 2008