
City Council

Motion without Notice

MM38.23	ACTION			Ward: 20
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14 Tranby Avenue - Request for the City Solicitor and Planning Staff to attend at the Ontario Municipal Board - by Councillor Vaughan, seconded by Councillor Ainslie

- Notice of this Motion has not been given.*
- A two-thirds vote is required to waive notice.*
- 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 related to an OMB matter has been deemed urgent by the Chair.*

Recommendations

Councillor Vaughan, seconded by Councillor Ainslie, recommends that:

1. City Council direct the City Solicitor to appear at the Ontario Municipal Board with appropriate City Staff, or outside consultant(s) if necessary, to support the decision of the Committee of Adjustment in Application No. A0290/09TEY respecting 14 Tranby Avenue.

Summary

At its hearing on May 6, 2009, the Committee of Adjustment refused Application No. A0290/09TEY for 14 Tranby Avenue to alter the existing three-story row house by constructing a rear second storey addition. Please find the decision document attached.

The variance requested in this application would not only have a significant impact on nearby neighbours, but would also set a negative precedent for the neighbourhood as a whole.

The maximum permitted residential gross floor area is 1.0 times the area of the lot (122.89 square metres). The altered dwelling would have a residential gross floor area equal to 1.50 times the area of the lot (184 square metres), a 50% increase in the allowable residential gross floor area.

To achieve this density, the applicants are proposing to construct a second storey addition that would severely block sunlight to the already cramped back yards of the immediate neighbours, limiting the residents' ability to enjoy their backyards and maintain their gardens. Granting permission for an extension of this type sets a dangerous precedent for further development.

Other second storey additions on the north side of Tranby Avenue step back from the first floor and have sloped roofs.

The applicants have appealed the refusal of the Committee of Adjustment to the Ontario Municipal Board. A hearing date has been set for August 27, 2009.