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Re: 4 Midburn Ave. – OMB Hearing

Background:

The owner of the property municipally known as 4 Midburn Avenue applied to the Committee of Adjustment (Toronto East York Panel) for consent and minor variances to By-law No. 438-86, as amended, to sever the lot into 3 lots and to construct two detached dwellings on the conveyed lots. The existing detached dwelling would be maintained on a third lot.

The City Planning Division wrote to the Committee of Adjustment recommending refusal of the applications as they would result in the overdevelopment of the site in a way that does not comply with either the Zoning By-law or the Official Plan. A copy of that letter is attached.

At its meeting on March 25, 2009, the Committee of Adjustment denied the consent and minor variance applications. Copies of the decisions are also attached.

The Committee of Adjustment's decisions have been appealed by the owner to the Ontario Municipal Board.

An Ontario Municipal Board Hearing has not yet been scheduled.

Recommendation:

City Council authorize the City Solicitor, the City Planning Division and appropriate staff to appear at the Ontario Municipal Board to support the Committee of Adjustment's decision to refuse the requested consent and minor variance applications.