

# Pam McConnell



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**Toronto East York Community Council**

## **MOTION**

**Ontario Municipal Board Hearing- 3 Hamilton Ave.**

**Moved By: Councillor McConnell**

### **SUMMARY:**

The owner of the property municipally known as 3 Hamilton Ave applied to the Committee of Adjustment (Toronto East York Panel) for minor variances to By-law No. 438-86, as amended, to allow for the demolition an existing one-storey building and to construct a new six-storey apartment building containing 19 dwelling units.

The City Planning Division wrote to the Committee of Adjustment recommending refusal of the application as it does not meet the four tests of the Planning Act. The Official Plan states that development in "*Mixed Use Areas*" on Avenues, which requires a rezoning application, is not permitted to proceed prior to the completion of an Avenue Study or until Council is satisfied that the development will not have adverse impacts on the entire Avenue.

The applicant is requesting numerous variances from the Zoning By-law. The proposed development is not appropriate development of the site, and the variances requested are not minor.

At its meeting on February 4, 2009, the Committee of Adjustment denied the minor variance application.

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:**

1. 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 minor variance application.

