

---

**City Council**

---

**Notice of Motion**

MM52.2	ACTION			Ward: 22
--------	--------	--	--	----------

**53 Balmoral Avenue – Appeal to Ontario Municipal Board of Committee of Adjustment’s Refusal Decision - by Councillor Walker, seconded by Councillor Lee**

*\* Notice of this Motion has been given.*

*\* 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 relates to an Ontario Municipal Board Hearing and has been deemed urgent.*

**Recommendations**

Councillor Walker, seconded by Councillor Lee, recommends that:

1. City Council direct the City Solicitor and the appropriate staff to appear at the Ontario Municipal Board to support the Toronto and East York Committee of Adjustment’s refusal of the application for a severance at 53 Balmoral Avenue, at the hearing date which is yet to be determined.

**Summary**

An application for minor variances with respect to the property known as 53 Balmoral Avenue was heard by the Toronto and East York Committee of Adjustment on May 26, 2010 proposing to demolish the existing dwelling, sever the property and construct two three storey semi-detached dwellings each with a below grade garage.

On May 26, 2010 the Toronto and East York Committee of Adjustment refused the severance and variance application.

The Ontario Municipal Board will be considering an appeal to this decision by the Committee of Adjustment in September 2010.

(Submitted to City Council on August 25 and 26, 2010 as MM52.2)