
City Council

Motion without Notice

MM52.29	ACTION			Ward: 21
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212 Vesta Drive - OMB Appeal - Authority to Attend - by Councillor Mihevc, seconded by Councillor Vaughan

** This Motion has been deemed urgent by the Chair. Council has added this Motion to the agenda for debate.*

Recommendations

Councillor Mihevc, seconded by Councillor Vaughan recommends that:

1. City Council authorize the City Solicitor to hire an outside planner and oppose the appeal of Committee of Adjustment file number A0795/10TEY (212 Vesta Drive), or any similar Committee of Adjustment application in the event that one is submitted, at the Ontario Municipal Board.

Summary

On June 23, 2010, the Toronto and East York panel of the Committee of Adjustment refused a variance application regarding 212 Vesta Dr. to permit converting attic space into habitable space, increasing the gross floor area to 0.89 times the area of the lot (0.6 times the area of the lot is permitted). The applicant appealed the Committee of Adjustment decision to the Ontario Municipal Board and a hearing date was set for September 20, 2010 and adjourned. The applicant has now submitted a revised proposal to the Committee of Adjustment and a new C of A hearing date has been set for November 3, 2010, at which the applicant is seeking further variances. The applicant is again seeking a density of 0.89 times the area, as well as additional variances including a technical below grade integral garage, reduced side and back lot setbacks and increased height for an uncovered front porch.

This will be the third Committee of Adjustment hearing for 212 Vesta Drive requested by the applicant, who has progressively been requesting increased variances. In the event that the Committee of Adjustment member panel refuses the third application, which includes the density variance already refused by the committee in addition to further variances, I would like to ensure that the City Solicitor is granted authority to oppose this latest application at the OMB given that a hearing date may likely be set prior to the first meeting of City Council in December 2010.

This Motion is made to authorize the City Solicitor to hire an outside planner and attend and oppose the revised application in the event an OMB appeal is scheduled.

(Submitted to City Council as MM52.29)

