
City Council**Motion without Notice**

MM19.9	ACTION			Ward:23
--------	--------	--	--	---------

Legal representation regarding an Ontario Municipal Board appeal for 56 Florence Avenue - by Councillor John Filion, seconded by Councillor Joe Mihevc

- * This Motion has been deemed urgent by the Chair.*
- * This Motion is not subject to a vote to waive referral.*
- * This motion has been added to the agenda and is before Council for debate.*

Recommendations

Councillor John Filion, seconded by Councillor Joe Mihevc, recommends that:

1. City Council authorize the City Solicitor to negotiate with the applicant respecting 56 Florence Avenue and attempt to secure minimum interior side yard setbacks of no less than 0.9m.

Summary

Applications for Consent and Minor Variance were submitted by Rubinoff Design Group, on behalf of the applicants, to permit the severance of 56 Florence Avenue into two residential building lots and the construction of a new two-storey dwelling on each of the proposed lots. On March 24, 2011, the Committee of Adjustment approved the applications, which included a variance requesting 1.2m interior side yard setbacks.

On September 7, 2011, an application was heard by the Committee of Adjustment requesting Consent to Sever and Minor Variances for 58 Florence Avenue. The application included a variance requesting 0.6m interior side yard setbacks. This was approved by the Committee of Adjustment. The City appealed this decision. This case was heard by the Ontario Municipal Board on January 17, 2012. The City Solicitor was able to secure a settlement allowing for interior side yard setbacks of no less than 0.9m.

On December 14, 2011, Rubinoff Design Group, on behalf of Ronit and Namita Sharma, submitted a further application for 56 Florence Avenue, requesting a variance allowing for 0.6m interior side yard setbacks. The Committee of Adjustment refused the application. The property owner has appealed this decision to the Ontario Municipal Board. This matter is urgent due to a pending Ontario Municipal Board hearing.

(Submitted to City Council on March 5 and 6, 2012 as MM19.9)