

City Council**Motion without Notice**

MM19.10	ACTION			Ward:23
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Legal representation at the Ontario Municipal Board hearing for 233 Elmwood 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 attend the Ontario Municipal Board hearing respecting 233 Elmwood Avenue and advise the Board that a variance of maximum lot coverage is acceptable only if it is no greater than 32.0 percent of lot area.

Summary

On January 19, 2012, the Committee of Adjustment North Panel considered an application for Minor Variances submitted by Sustainable To, on behalf of the applicant, to permit the construction of a new two-storey dwelling at 233 Elmwood Avenue. The Committee of Adjustment refused variance number 1, requesting 34.20 percent lot coverage. The Committee of Adjustment approved all other variances. The applicant has appealed the refusal of variance number 1 with the Ontario Municipal Board. The applicant has recently indicated that a settlement allowing for 32 percent lot coverage would be agreeable. This matter is urgent due to a pending Ontario Municipal Board hearing.

(Submitted to City Council on March 5 and 6, 2012 as MM19.10)