



# Janet DAVIS

*City Councillor  
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**October 30, 2013**

**Dear Chair & Members of Toronto & East York Community Council**

**RE: 323 Westlake Avenue – Authority to Attend an Ontario Municipal Board Hearing**

**SUMMARY:**

On July 31st, 2013, the Committee of Adjustment refused to grant consent to sever the property and four (4) variances from the former Borough of East York By-law No. 6752, in respect of the property at 323 Westlake Avenue. The applicant has appealed this refusal to the Ontario Municipal Board. A hearing is scheduled for 22 January, 2014 at 10am.

The purpose of the application for severance and minor variances was to facilitate the construction of a new two-storey single family dwelling on the lot and maintain the existing one-storey single family detached dwelling on a reduced lot. The application for severance was refused on the grounds that the proposed land division does not conform to the policies of the official plan, the suitability of the land for the purposes for which it is to be subdivided has not been demonstrated, the suitability of the dimensions and shapes of the proposed lots has not been demonstrated, the adequacy of roads, vehicular access, parking and loading facilities has not been demonstrated, and the adequacy of utilities and municipal services has not been demonstrated. The application for variances was refused on the grounds that the general intent and purpose of the Official Plan is not maintained, the general intent and purpose of the Zoning By-law is not maintained, the variances are not considered desirable for the appropriate development of the land, and, in the opinion of the Committee, the variances are not minor.

I am therefore seeking Council approval to attend the OMB in support of the decision of the Committee of Adjustment.

**RECOMMENDATION:**

1. City Council authorize the City Solicitor to attend at the Ontario Municipal Board Hearing in support of the Committee of Adjustment Decision to refuse the minor variances related to 323 Westlake Avenue (B0043/13TEY, A0427/13TEY, A0428/13TEY), and to retain an outside planning consultant(s) if needed, for the hearing.

Sincerely,

Councillor Janet Davis,  
Ward 31, Beaches-East York