MOTION WITHOUT NOTICE

121-125 Rusholme Road - Request for City Solicitor to Appear at the Ontario Municipal Board

Moved by: Councillor Giambrone
Seconded by: Councillor Thompson

SUMMARY:

Application A0110/04T to add six (6) additional dwelling units to the basement of the existing apartment building containing 14 dwelling units at 121-125 Rusholme Road was heard and refused at the Committee of Adjustment on July 9, 2008. The application was subsequently appealed to the Ontario Municipal Board by the General Manager of the business operating at this address. A hearing date has been set for December 11, 2008.

Among the concerns communicated to the Committee of Adjustment are:

• the addition would reduce the enjoyment of the green space on the site, reducing the privacy available to current tenants of the building and neighbours;
• it would create security concerns within the building with basement entrances; and
• it would increase the number of units on the site by over 40 percent, which is not a minor variance.

RECOMMENDATION:

1. That City Council direct the City Solicitor to appear at the Ontario Municipal Board with appropriate independent consultant(s), if necessary, in support of the Committee of Adjustment’s refusal of Application A0110/04T on July 9, 2008.

October 29, 2008
Attachment

According to Chapter 27, Council Procedures:

| Fiscal Impact Statement provided |  |
| Should have Fiscal Impact Statement prior to debate |  |
| Requires two-thirds to waive requirement if Council wishes to debate | * |
| Is before Council for debate | (v) |
| Chair agrees that the Motion Recommendations are Urgent - OMB | (v) |

* Deputy City Manager and Chief Financial Officer to advise.