
City Council

Motion without Notice

MM9.8	ACTION			Ward: 13
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**Request for Attendance at an Ontario Municipal Board Hearing –
Appeal of Committee of Adjustment Decision on 155 Morningside Ave
(File A462/10EYK) - by Councillor Sarah Doucette, seconded by
Councillor Mark Grimes**

- * *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 Sarah Doucette, seconded by Councillor Mark Grimes, recommends that:

1. City Council authorize the Chief Planner and Executive Director, City Planning and the City Solicitor to attend the Ontario Municipal Board appeal hearing and to retain outside planning assistance, if necessary, in support of the Committee of Adjustment decision to refuse the applications with respect to 155 Morningside Avenue (File Number A462/10EYK).

Summary

The Etobicoke York Panel of the Committee of Adjustment at its meeting of April 7, 2011 refused the requested variances by the applicant for the property at 155 Morningside Avenue (A462/10EYK) on that agenda (see attached Notice of Decision). The applicant has appealed the Committee's decision to the Ontario Municipal Board and the Board will be considering an appeal of the Committee of Adjustment decision on July 20, 2011.

This Motion is to support the many local residents who have fought this development for several years and who were successful at the Committee of Adjustment where they effectively voiced their legitimate concerns about the structure and its effects on the neighbourhood, ravine, and the City's storm water system.

Granting the owner these variances will set an untenable precedent for many other neighbourhoods like this one throughout the City. The positioning and design of the structure are an inappropriate addition to this established neighbourhood, especially since it is at the edge of a protected ravine system, at the bottom of a hill.

The property's living ground cover has been almost completely removed and replaced with stone and other such material, including possibly asphalt for the driveway. To suggest that the storm water system or ravine system would not be affected by this property does not make any sense. The replacement of living ground cover almost completely around this property can only serve to redirect water from its property onto adjacent properties – one of which is within both ravine protection zones – and add stress to our already compromised storm water system.

It seems that with every new build, many large mature trees are lost, costing the community the benefits of the urban forest, and the character of the community suffers. Space for trees is being swallowed up with infill homes, especially those such as this one that surround the structures with hard landscaping.

(Submitted to City Council on June 14 and 15, 2011 as MM9.8)