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**City Council**

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**Motion without Notice**

MM9.9	ACTION			Ward: 16
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**Request for City Representation at the Ontario Municipal Board Hearing – B0060/10NY, A0701/10NY & A702/10NY on 507 St. Clements Avenue – by Councillor Karen Stintz, seconded by Councillor Josh Colle**

- \* *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 Karen Stintz, seconded by Councillor Josh Colle, recommends that:

1. City Council authorize the City Solicitor to retain outside planning consultant(s) and the City Solicitor and outside planning consultant(s) to attend the Ontario Municipal Board hearing to uphold the Committee of Adjustment's decision on 507 St. Clements Avenue.

**Summary**

On May 18, 2011 the Committee of Adjustment refused a Consent Application to sever a parcel of residential lands into two parts for the creation of new residential building lots and the Minor Variance/Permissions to construct a new two-storey detached dwelling on each of the subdivided lots. The lands concerned have a 15.24m frontage on the south side of St. Clements Avenue, with a depth of 41.1m and an area of 626m<sup>2</sup> and presently contain the dwelling known municipally as 507 St. Clements Avenue.

The applicant has appealed the Committee decisions to the Ontario Municipal Board. A hearing has not been scheduled as yet.

In August 1999 the Committee of Adjustment refused what appears to be an identical application and the Committee's Decision to Refuse was upheld by the Ontario Municipal Board. It was deemed to not represent an appropriate land severance or development. In my opinion and that of the Committee of Adjustment on May 18, 2011, that Decision continues to be the correct one for this lot on St. Clements Avenue.

Lot frontage statistics on the St. Clements, Briar Hill and Castlefield blocks between Castlewood and Caldow illustrate the majority have 9.1m (30+ foot frontages). It would appear that only the first few properties in from Castlewood on each of these blocks have 25' frontages and approval of this Consent would have resulted in two very narrow houses squeezed into lots less than the minimum allowed under the By-law. Planning Staff provided an Information Report with conditions of approval.

(Submitted to City Council on June 14, 2011 as MM9.9)