
City Council

Notice of Motion

MM14.1	ACTION			Ward:16
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Request for City Representation at the Ontario Municipal Board Hearing – B030/11NY, A419/11NY & A420/11NY - 98 Esgore Drive - by Councillor Karen Stintz, seconded by Councillor John Parker

**Notice of this Motion has been given.*

** This Motion is subject to referral to the North York Community Council. A two thirds vote is required to waive referral.*

** This Motion relates to an Ontario Municipal Board Hearing and has been deemed urgent.*

Recommendations

Councillor Karen Stintz, seconded by Councillor John Parker, recommends that:

1. City Council authorize the City Solicitor and appropriate City staff to appear at the Ontario Municipal Board Hearing to uphold the Committee of Adjustment's decision on 98 Esgore Drive.

Summary

On October 19, 2011 the Committee of Adjustment refused a Consent Application for the division of a parcel of residential lands into two parts for conveyance purposes for the creation of a new residential building lot. The lands concerned have a lot frontage of 14.27m on the west side of Esgore Drive, an average depth of 58.41m and an area of 828.41m². The lands presently contain a one storey dwelling municipally known as 98 Esgore Drive.

It is proposed to divide the lands into two parts for the creation of a new residential building lot. The existing dwelling and detached garage would be demolished and a new two storey dwelling is proposed to be constructed on each of the resulting lots.

Part 1 would have a lot frontage of 14.27m fronting onto the west side of Esgore Drive, an average depth of 29.16m and an area of 419.60m².

Part 2 would have a lot frontage of 14.63m fronting onto the east side of Saunders Street, an average depth of 29.16m and an area of 408.78m².

Planning Staff recommended refusal of the application for Consent and Minor Variances in order to maintain the existing physical character of the neighbourhood and to avoid an overdevelopment of the site. The Committee of Adjustment refused applications B030/11NY, A419/11NY & A420/11NY on the following grounds:

- 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 variance(s) is not considered desirable for the appropriate development of the land.
- In the opinion of the Committee the variance(s) is not minor.

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

(Submitted to City Council on November 29 and 30, 2011 as MM14.1)