
City Council

Notice of Motion

MM14.11	ACTION			Ward:35
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Ontario Municipal Board Hearing on 161 August Avenue - by Councillor Michelle Berardinetti, seconded by Councillor Gary Crawford

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Scarborough 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 Michelle Berardinetti, seconded by Councillor Gary Crawford, recommends that:

1. City Council instruct the City Solicitor to seek an adjournment of the December 1, 2011 hearing before the Ontario Municipal Board regarding 161 August Avenue.
2. In the event that an adjournment of the hearing is granted, City Council further instruct the City Solicitor to retain an outside planning consultant and to oppose the severances sought at the hearing of the merits of this appeal.

Summary

On August 23, 2011, the Committee of Adjustment (C of A) refused an application to sever lands at 161 August Avenue. The severance application sought to divide the land into three (3) lots intended for single family dwellings.

The opinion of the Committee of Adjustment was that the size and configuration of the proposed lots did not respect and reinforce the existing physical character of the neighbourhood, as required by the neighbourhoods policies of the Official Plan; nor did the severance meet the subdivision criteria under the Planning Act.

The applicant/owner has appealed the Committee of Adjustment Decision to the OMB and a hearing has been scheduled for Thursday, December 1, 2011. City Council meets next on November 29 and 30, 2011.

For that reason, this Motion is brought forward to authorize the City Solicitor to seek an adjournment of the December 1st hearing date. Further, in the event an adjournment is granted by the OMB, that the City Solicitor be instructed to retain an outside planning consultant and to oppose the severance appeal at the adjourned date of hearing.

(Submitted to City Council on November 29 and 30, 2011 as MM14.11)