
City Council**Motion without Notice**

MM16.5	ACTION			Ward:23
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140 Spring Garden Avenue - Staff representation at an Ontario Municipal Board hearing - by Councillor John Filion, seconded by Councillor Mary-Margaret McMahon

- * Notice of this Motion has not been given. A two-thirds vote is required to waive notice.*
- * 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 John Filion, seconded by Councillor Mary-Margaret McMahon, recommends that:

1. City Council authorize the City Solicitor to appeal the approval of the minor variances for 140 Spring Garden Avenue and authorize City Planning staff to attend the Ontario Municipal Board hearing in opposition to the Committee of Adjustment's approval of the minor variances with respect to the lot coverage, building length, driveway width and front yard landscaping.

Summary

On January 19, 2012, the Committee of Adjustment North Panel considered an application for Minor Variances submitted by Studio Junction Inc. to permit the construction of a new two-storey dwelling at 140 Spring Garden Avenue. City Planning Staff wrote a report requesting reductions in lot coverage, building length, driveway width and the amount of front yard landscaping. In the opinion of planning staff, these changes could be made and still allow the design of the home to deal with mobility issues related to the future resident of the home. In approving the variances, the Committee of Adjustment made no connection between the approved variances and the need for accessibility. Accordingly, these variances would set a precedent for the neighbourhood. This is an urgent matter as the deadline for filing this appeal is Tuesday, February 7, 2012.

(Submitted to City Council on February 6 and 7, 2012 as MM16.5)