

**City Council****Motion without Notice**

MM24.36	ACTION			Ward:33
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**Attendance at Ontario Municipal Board hearing to uphold the Committee of Adjustment's decision for 2720 Victoria Park Avenue - by Councillor Shelley Carroll, seconded by Councillor Norm Kelly**

- \* 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 Shelley Carroll, seconded by Councillor Norm Kelly, recommends that:

1. City Council authorize the City Solicitor to attend the Ontario Municipal Board should a hearing be scheduled prior to the next Council meeting to uphold the Committee of Adjustment's decision of May 9, 2012 on 2720 Victoria Park Avenue.

**Summary**

Urgent consideration is required on this Motion as an Ontario Municipal Board Hearing may be scheduled prior to the next City Council meeting.

On May 9, 2012, the Committee of Adjustment refused a Minor Variance Application pertaining to 2720 Victoria Park. The application was to permit a dwelling that is already under construction to be maintained and completed as constructed. The dwelling had been constructed without the benefit of a building permit.

As the Committee of Adjustment has refused the Minor Variance Application and as the owner has already invested a large amount of money in constructing the building, there is good reason to believe that the owners will appeal the Committee of Adjustment's decision in order to avoid demolition of the property.

To permit these allowances would be contrary to the character of the community and set undesirable precedents going forward.

The proposed dimensions of the building are 19.84m (length) where a maximum building length of 16.8 is permitted and 9.42m (height) where a maximum height of 8m is permitted for a dwelling with a flat roof.

(Submitted to City Council on June 6, 7 and 8, 2012 as MM24.36)