

City Council**Notice of Motion**

MM25.8	ACTION			Ward:21
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Authority to attend an Ontario Municipal Board hearing regarding 15 Burton Road - by Councillor Joe Mihevc, seconded by Councillor Mike Layton

- * Notice of this Motion has been given.*
- * This Motion is subject to referral to the Toronto and East 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 Joe Mihevc, seconded by Councillor Mike Layton, recommends that:

1. In the event the applicant appeals the refusal of the Committee of Adjustment, City Council authorize the City Solicitor to attend the Ontario Municipal Board appeal hearing to support the Committee of Adjustment's decision in Application No. A0344/12TEY regarding 15 Burton Road and to retain outside consultants as necessary.

Summary

On June 27, 2012, The Toronto and East York panel of the Committee of Adjustment refused an application for variances at 15 Burton Road, which may be appealed to the Ontario Municipal Board. The C of A's decision notice is attached.

In my opinion, the Committee of Adjustment made the right decision by rejecting the application. I believe the proposal is too large for the site. I am concerned about this proposed development mainly because of the completely unreasonable side yard setback variance requests. The applicant is seeking to set back their proposed building only 1.2 metres (east side) and 1.85 metres (west side) from their property line for nearly 10 metres. A setback of 7.5 metres is required for this portion of the proposed building. I believe the side yard setback variance requests are excessive.

(Submitted to City Council on July 11 and 12, 2012 as MM25.8)

Background Information (City Council)

Member Motion MM25.8

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission for 15 Burton Road

<http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-48976.pdf>