

**City Council****Notice of Motion**

MM25.13	ACTION			Ward:23
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**Representation at an Ontario Municipal Board hearing for 280 Ellerslie Avenue - by Councillor John Filion, seconded by Councillor Glenn de Baeremaeker**

*\* 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 John Filion, seconded by Councillor Glenn De Baeremaeker, recommends that:

1. City Council authorize the City Solicitor and an outside planner to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment's refusal of the lot severance and associated variances for 280 Ellerslie Avenue.

**Summary**

Applications for Consent and Minor Variance were submitted by the applicant to permit the severance of the subject property into two residential building lots and the construction of a new two-storey dwelling on each of the proposed lots. On June 6, 2012, the Committee of Adjustment refused the applications on the grounds that the land division does not conform to the policies of the official plan and that the division would create lots which would be out of character with the surrounding neighbourhood. The Committee's decision is consistent with two previous decisions refusing severances on similar sized lots in the immediate vicinity – one of them next door to the subject property. In both cases, the Committee's decision to refuse the severance was upheld by the Ontario Municipal Board. The property owner has appealed this decision to the Ontario Municipal Board.

(Submitted to City Council on July 11 and 12, 2012 as MM25.13)

**Background Information (City Council)**

Member Motion MM25.13

(June 6, 2012) Committee of Adjustment North York Panel, Notice of Decision - 280 Ellerslie Avenue

<http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-48955.pdf>