



City Council

Notice of Motion

MM25.24	ACTION			Ward:13
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Request for Attendance at an Ontario Municipal Board Hearing – Support of Committee of Adjustment Decision for 154 Windermere Avenue (B41/11EYK) - by Councillor Sarah Doucette, seconded by Councillor Mike Layton

- * Notice of this Motion has been given.*
- * This Motion is subject to referral to the Etobicoke 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 Sarah Doucette, seconded by Councillor Mike Layton, recommends that:

1. If an appeal is filed to the Ontario Municipal Board by the owner/applicant regarding Minor Variance application B41/11EYK with respect to 154 Windermere Avenue, City Council authorize the City Solicitor and City staff to appear at the Ontario Municipal Board to support the decision of the Committee of Adjustment in refusing Application B41/11EYK respecting 154 Windermere Avenue.

Summary

The application from the resident is to sever the property into three residential lots, demolish the existing dwelling and develop three new detached dwellings. It was opposed by Community Planning and Forestry at the June 14, 2012 Committee of Adjustment hearing.

The Community Planning report (see attached) stated that the proposed application does not meet the intent of City policy "which establishes that development will respect and reinforce the existing physical character of the neighbourhood, including in particular: size and configuration of lots; setbacks of buildings from the street or streets; and prevailing patterns of rear and side yard setbacks". Planning staff shared their concerns with the resident before the hearing but no aspect of the proposal was altered.

Three houses on a lot this size would definitely be out of keeping with the neighbourhood. In addition to that, the plans require the removal of a protected tree which has been opposed by Forestry staff (see attached). This type of density in this neighbourhood is not supported by the City's Official Plan or the residents who fear a precedent being set that would be replicated by others and destabilize their community.

(Submitted to City Council on July 11 and 12, 2012 as MM25.24)

Background Information (City Council)

Member Motion MM25.24

<http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-48991.pdf>

(June 7, 2012) Letter from Peter Dmytrasz, Supervisor - Tree Protection and Plan Review, Urban Forestry on the application before the Committee of Adjustment Etobicoke York Panel for 154 Windermere Avenue

<http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-49000.pdf>

(June 7, 2012) Report from the Director, Community Planning, Etobicoke York District on the application before the Committee of Adjustment Etobicoke York Panel for 154 Windermere Avenue

<http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-49001.pdf>

Committee of Adjustment Etobicoke York Panel, Notice of Decision, 154 Windermere Avenue

<http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-49002.pdf>