

City Council

Motion without Notice

MM25.46	ACTION			Ward:24
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42 Caswell Drive - Request for Attendance at an Ontario Municipal Board Hearing - Appeal of Committee of Adjustment A245/12NY - by Councillor David Shiner, seconded by Councillor Karen Stintz

- * *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 David Shiner, seconded by Councillor Karen Stintz, recommends that:

1. City Council direct the City Solicitor to attend at the Ontario Municipal Board in support of the Committee of Adjustment's decision to refuse the application respecting 42 Caswell Drive and authorize the City Solicitor to retain outside consultants as necessary.

Summary

The North York Panel of the Committee of Adjustment at its meeting of June 6, 2012 refused the requested variances by the applicant for the property at 42 Caswell Drive (A245/12NY).

The Applicant had sought to demolish the existing dwelling on the property, in order to construct a new three storey dwelling with an integral, at-grade, three car garage.

The applicant has appealed the Committee of Adjustment's decision to the Ontario Municipal Board. No hearing date has been scheduled yet. This Motion is made to City Council to direct the City Solicitor to attend the Ontario Municipal Board Hearing in support of the Committee of Adjustment's decision to refuse the said application. City Council is also being asked to authorize the City Solicitor to retain outside consultants as necessary.

The requested variances are not in keeping with the character of this neighbourhood. The variances related to building height and first floor height in particular do not fit in with the existing house fabric and would create a negative precedent for the area.

Due to the summer Council break, it is likely that the Ontario Municipal Board hearing will be scheduled before the next Council meeting.

(Submitted to City Council on July 11 and 12, 2012 as MM25.46)

Background Information (City Council)

Member Motion MM25.46

(June 14, 2012) Committee of Adjustment, North York Panel Notice of Decision on application for Minor Variance/Permission for 42 Caswell Drive