TORONTO **Member Motion**

City Council

Motion without Notice

MM27.13	ACTION			Ward:44

Ontario Municipal Board Hearing - Committee of Adjustment application - Sugarbush Square East Side - by Councillor Ron Moeser, seconded by Councillor Glenn De Baeremaeker

**** Notice of this Motion has not been given. A two-thirds vote is required to waive notice.***
**** This Motion is subject to referral to the Scarborough 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 Ron Moeser, seconded by Councillor Glenn De Baeremaeker, recommends that:

1. City Council authorize the City Solicitor to retain an outside Planning Consultant and attend the Ontario Municipal Board Hearing respecting Sugarbush Square, East Side to uphold the City's Zoning By-law for development in this area.

Summary

This motion relates to an Ontario Municipal Board Hearing and has been deemed urgent.

The owners of Sugarbush Square, East Side (Legal description: PLAN M2220 BLK 18**GRID E4404), submitted applications to the Committee of Adjustment, Scarborough Panel, for consent to divide the lands to permit the creation of 3 lots with frontage of 18.29 metres, 18.29 metres and 20.97 metres.

The owners of Sugarbush Square, East Side (Legal description: PLAN M2220 BLK 18**GRID E4404) also submitted Minor Variance applications for two of the proposed lots.

Variances were requested with respect to lot area. Lot 1 – To permit lot area of 485 square metres wheras the Zoning By-law requires a minimum lot area of 696 square metres. Lot 2 – To permit lot area of 485 square metres wheras the Zoning By-law requires a minimum lot area of 696 square metres.

These applications were considered by the Committee on August 2, 2012. A number of area residents were in opposition to the application.

Planning staff did not comment on the proposal which infers they had no objections to the proposal. Staff also provided conditions of approval, had the Committee chose to approve the applications as submitted.

The Committee of Adjustment for the City of Toronto (East District) approved the consent application and the associated minor variance applications. A copy of the Notice of Decision of the Committee of Adjustment is attached.

The residents have appealed the decisions of the Committee of Adjustment to the Ontario Municipal Board.

The Ontario Municipal Board has set a date for the hearing of Wednesday, November 21, 2012.

The Councillor is requesting representation at the Ontario Municipal Board hearing.

Submitted to City Council on October 30 and 31, 2012 as MM27.13)