

## City Council

### Notice of Motion

MM28.1	ACTION			Ward:23
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**Staff representation at an Ontario Municipal Board hearing for 295 Byng Avenue - by Councillor John Filion, seconded by Councillor Joe Mihevc**

*\* 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 Joe Mihevc, recommends that:

1. City Council authorize the City Solicitor and City Planning Staff to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment's decision on 295 Byng Avenue.

### Summary

On October 24, 2012, the Committee of Adjustment North Panel considered an application for Minor Variances to permit the construction of a new two-storey dwelling at 295 Byng Avenue. City Planning Staff wrote a report requesting a reduction of the proposed lot coverage of 37.9 percent, on the grounds that it was not in keeping with the character of the neighbourhood. In its decision, the Committee of Adjustment reduced the proposed lot coverage to 32 percent. The Committee also refused variances for a proposed east side yard setback of 1.21 metres and a proposed west side yard setback of 1.37 metres, on the grounds that they did not maintain the general intent and purpose of the Official Plan and Zoning By-Law, the variances were not considered desirable for the appropriate development of the land and, in the opinion of the Committee, the variances were not minor. The applicant has appealed this decision to the Ontario Municipal Board.

(Submitted to City Council on November 27 and 28, 2012 as MM28.1)

### Background Information (City Council)

Member Motion MM28.1

Committee of Adjustment, North York Panel Notice of Decision and background documents on application for Minor Variance/Permission for 295 Byng Avenue

(<http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-52312.pdf>)

