

## City Council

### Motion without Notice

MM28.18	ACTION			Ward:11
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**Request for Attendance at an Ontario Municipal Board Hearing –  
Appeal of Committee of Adjustment Decision for 235 Rosemount  
Avenue - by Councillor Frances Nunziata, seconded by Councillor  
Cesar Palacio**

*\* 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 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 Frances Nunziata, seconded by Councillor Cesar Palacio, recommends that:

1. City Council authorize the City Solicitor and appropriate City Staff to attend at the Ontario Municipal Board in support of the Committee of Adjustment decision to refuse the consent and variance applications for 235 Rosemount Avenue (B76/11EYK, A740/11EYK and A741/12EYK).

### Summary

The Etobicoke York Panel of the Committee of Adjustment at its meeting of November 1, 2012 refused the requested lot severance and variances by the applicant for the proposed development at 235 Rosemount Avenue. File Numbers B76/11EYK, A740/11EYK and A741/12EYK.

The applicant requested permission to sever the property into two residential lots and to construct a pair of semi-detached dwellings.

The proposed severance results in two lots that are out of keeping with the character of the area and would be inconsistent with the lot pattern of the neighbourhood. The proposal to construct semi-detached dwellings is not a permitted use in the R1 zoning category of the By-law, which restricts residential dwellings to detached houses.

City Planning Staff recommended that the applications be refused. The applicant has appealed the Committee's refusal decisions to the Ontario Municipal Board. A hearing date has not yet been set by the Ontario Municipal Board.

In view of the refusal decision of the Committee of Adjustment, this motion is brought forward to authorize the City Solicitor and appropriate City Staff to attend the Ontario Municipal Board hearing to oppose the application.

This Motion is urgent as the Ontario Municipal Board hearing for this, may occur before the next regular City Council meeting.

(Submitted to City Council on November 27 and 28, 2012 as MM28.18)

**Background Information (City Council)**

Member Motion MM28.18

Committee of Adjustment, Etobicoke York Panel Notice of Decision for 235 Rosemount Avenue

(<http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-52493.pdf>)