

City Council

Motion without Notice

MM28.23	ACTION			Ward:23
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Staff representation at an Ontario Municipal Board hearing for 79 Lorraine Drive - by Councillor John Filion, seconded by Councillor Joe Mihevc

** 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 John Filion, seconded by Councillor Joe Mihevc, recommends that:

1. City Council authorize the City Solicitor to appeal the minor variances approved by the Committee of Adjustment, North York Panel, on November 21, 2012 for the property located at 79 Lorraine Drive, and authorize the City Solicitor and City Planning staff to attend the Ontario Municipal Board hearing in opposition to the minor variance application.

Summary

On November 21, 2012, the Committee of Adjustment, North York Panel considered an application for minor variances submitted by the applicant to permit the construction of a new two-storey dwelling at 79 Lorraine Drive. In the Report (November 13, 2012) from the Director, Community Planning, North York District, it was recommended that the proposed lot coverage of 37.35 percent be reduced to "better reflect the character of the neighbourhood". While the Committee refused variances 1 and 2, for reduced side yard setbacks, they approved all of the remaining variances, including the proposed lot coverage and associated increase in overall length. The Committee of Adjustment, North York Panel, also made the decision subject to conditions, including "The property being developed essentially in accordance with the site plan attached to this decision".

The approval of 37.35 percent lot coverage, and associated length of 20.85 metres, will result in a house that is excessive in size and which does not reflect the character of the neighbourhood. The approval of a proposed building height of 9.14 metres (measured to the midpoint of the roof) will allow an overall building height of 11.5 metres, which is also out of character with the neighbourhood. Further, the condition imposed by the Committee, that the property be developed "essentially in accordance" with the applicant's site plan is inconsistent with the Committee's decision to refuse reduced side yard variances, since that site plan shows east and west side yard setbacks of 1.52 metres instead of the 1.8 metres required by the zoning by-law.

(Submitted to City Council on November 27 and 28, 2012 as MM28.23)

Background Information (City Council)

Member Motion MM28.23

(<http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-52534.pdf>)

Committee of Adjustment, North York Panel Notice of Decision for 79 Lorraine Drive

(<http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-52537.pdf>)