

City Council

Motion with Notice

MM28.24	ACTION			Ward:14
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Staff representation at an Ontario Municipal Board hearing for 62 Melbourne Avenue - by Councillor Gord Perks, seconded by Councillor Mike Layton

** 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 Gord Perks, seconded by Councillor Mike Layton, recommends that:

1. City Council direct the City Solicitor to attend the Ontario Municipal Board Hearing together with City Planning staff in support of the Committee of Adjustment's decision to refuse the variances for 62 Melbourne Avenue or should the application be approved, that the following condition be imposed:
 - a. that no plumbing connections or supply of water or sewage service be permitted in or to the garage.

Summary

On September 5, 2012, Toronto East York Panel of the Committee of Adjustment refused an application for minor variances for the property at 62 Melbourne Avenue, file number A0495/12TEY.

The applicant requested to legalize and maintain an existing two-storey detached garage with a rear deck built on the lot containing the 2 1/2 storey semi-detached dwelling without a building permit. The variances requested relate to height, setbacks, and floor area of an accessory structure.

City planning staff responded to the Committee of Adjustment application concerned with the potential that the two-storey detached garage may be converted to habitable space. For this reason, Planning staff recommended that the permit plans submitted to Toronto Buildings Division not include any plumbing connections to and/or within the detached garage.

The Committee of Adjustment refused the requested variances.

The applicant has appealed the Committee of Adjustment's decision to the Ontario Municipal

Board. A hearing date has been set from December 10, 2012.

(Submitted to City Council on November 27 and 28, 2012, as MM28.24)

Background Information (City Council)

Member Motion MM28.24

Committee of Adjustment, Toronto East York Panel Notice of Decision for 62 Melbourne Avenue

(<http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-52536.pdf>)