

City Council

Motion without Notice

MM30.22	ACTION			Ward:22
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204 Balmoral Avenue - Appeal to Ontario Municipal Board of Committee of Adjustment's Refusal Decision - by Councillor Josh Matlow, seconded by Councillor Joe Mihevc

- * 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 Toronto and East 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 Josh Matlow, seconded by Councillor Joe Mihevc, recommends that:

1. City Council authorize the City Solicitor and appropriate staff to appear at the Ontario Municipal Board Hearing to support the Toronto and East York Committee of Adjustment refusal of the consent and variances regarding 204 Balmoral Avenue at the hearing date on April 2, 2013, and if necessary, retain outside planning consultants to support the City's position at the hearing.

Summary

An application for a severance and minor variances with respect to the property known as 204 Balmoral Avenue was heard by the Toronto and East York Committee of Adjustment on November 14, 2012.

The applicant proposed to demolish the existing garage and the north portion of the existing dwelling and to construct a new three-storey single family detached dwelling, with an integral single car garage. proposing to demolish the existing dwelling, sever the property and construct two new three storey detached dwellings each with a below grade garage.

On November 14, 2012, the Toronto and East York Committee of Adjustment refused both the severance the variance applications.

The Ontario Municipal Board will be considering an appeal to this decision by the Committee of Adjustment at a hearing date on April 2, 2013.

(Submitted to City Council on February 20 and 21, 2013 as MM30.22)

Background Information (City Council)

Motion without Notice (MM30.22)

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-56294.pdf>

(November 13, 2012) Letter from Councillor Josh Matlow 204 Balmoral Avenue - Appeal to Ontario Municipal Board Hearing

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-56295.pdf>

(October 31, 2012) Report from the Director, Community Planning, Toronto and East York District regarding Committee of Adjustment Application for 204 Balmoral Avenue

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-56296.pdf>

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission for 204 Balmoral Avenue - A0438-12TEY

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-56297.pdf>

Committee of Adjustment Toronto and East York Panel Notice of Decision on Consent Application for 204 Balmoral Avenue - B0047-12TEY

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-56298.pdf>

Committee of Adjustment, Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission for 204 Balmoral Avenue (Part 2) - A0437-12TEY

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-56299.pdf>