

City Council

Notice without Motion

MM36.31	ACTION			Ward:23
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Staff Representation at an Ontario Municipal Board Hearing for 57 Devondale Avenue - 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 approval of the minor variance for 57 Devondale Avenue and authorize City Planning staff to attend the Ontario Municipal Board hearing in opposition to the Committee of Adjustment's approval of the minor variance with respect the proposed east side yard setback.

Summary

On May 23, 2013, the Committee of Adjustment, North York Panel, considered an application for Minor Variance submitted by M.P. Design and Associates Ltd, on behalf of the owner to permit the construction of a rear one-storey addition and a front second storey addition over the existing garage at 57 Devondale Avenue. City Planning Staff wrote a report requesting that "the second storey of the proposed addition to the east of the dwelling be stepped back from the ground floor portion so as to increase the setbacks of the second storey". In the opinion of City Planning Staff, without this change, the close proximity of the second storey of the proposed addition could result in privacy and overlook concerns.

At the hearing on May 23, 2013 the Committee of Adjustment, North York Panel, approved the application without incorporating the changes proposed by Planning Staff. This is an urgent matter as the deadline for filing this appeal is Wednesday, June 12, 2013.

(Submitted to City Council on June 11 and 12, 2013 as MM36.31)

Background Information (City Council)

Member Motion MM36.31