

City Council**Notice of Motion**

MM37.17	ACTION			Ward:22
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48 Oriole Gardens - Appeal to Ontario Municipal Board of Committee of Adjustment's Refusal Decision - by Councillor Josh Matlow, seconded by Councillor John Parker

** Notice of this Motion has been given.*

** 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 John Parker, 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's refusal of the consent and variances regarding 48 Oriole Gardens at a hearing date yet to be determined and, if necessary, to 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 48 Oriole Gardens was heard by the Toronto and East York Committee of Adjustment on May 22, 2013 proposing to demolish the existing dwelling, severe the property and construct two new semi-detached dwellings.

On May 22, 2013, 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 yet to be determined.

(Submitted to City Council on July 16 and 17, 2013 as MM37.17)

Background Information (City Council)

Member Motion MM37.17

(May 21, 2013) Memorandum from Councillor Josh Matlow - Ward 22 - St. Paul's

(<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-60210.pdf>)

Report (May 14, 2013) from Chair and Committee members of the Committee of Adjustment

Toronto and East York District

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-60211.pdf>

Committee of Adjustment Toronto and East York Panel - Notice of Decision - Consent for 48 Oriole Gardens

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-60213.pdf>

Committee of Adjustment Toronto and East York Panel - Notice of Decision on application for Minor Variance/Permission for 48 Oriole Gardens Part 1

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-60214.pdf>

Committee of Adjustment Toronto and East York Panel - Notice of Decision on application for Minor Variance/Permission for 48 Oriole Gardens Part 2

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-60215.pdf>