

## City Council

### Notice of Motion

MM41.12	ACTION			Ward:11
---------	--------	--	--	---------

### **Ontario Municipal Board Appeal - 0 Verona Avenue, 55 and 60 Emmett Avenue - by Councillor Frances Nunziata, seconded by Councillor Frank Di Giorgio**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Etobicoke York Community Council. A two-thirds vote is required to waive referral.*

*\* This Motion relates to an Ontario Municipal Board of Ontario Hearing and has been deemed urgent.*

### **Recommendations**

Councillor Frances Nunziata, seconded by Councillor Frank Di Giorgio, recommends that:

1. City Council authorize the City Solicitor to appear at the Ontario Municipal Board hearing in the matter of 0 Verona Avenue and 55 and 60 Emmett Avenue and oppose the appeal of the decision of the Committee of Adjustment- Etobicoke York Panel dated September 26, 2013 and to retain an outside planning consultant.
2. City Council authorize the City Solicitor to take all necessary action so as to give effect to this Motion.

### **Summary**

By decision dated 26 September 2013, the Committee of Adjustment- Etobicoke York Panel (“COA”) refused the severances and minor variances for the properties at 0 Verona, 55 and 60 Emmett Avenue (“Subject Property”). The owner of the Subject Property has appealed the refusals to the Ontario Municipal Board (“OMB”).

The applicant is seeking to eliminate parking spaces at 0 Verona Avenue, which are for the benefit of the tenants at 55 Emmett Avenue, and then divide the Verona lands into five parts and construct four semi-detached dwellings and one detached dwelling. The applicant also wishes to divide 60 Emmett Avenue into three residential lots for two semis and one single dwelling.

Authorization is being requested to oppose the appeal at the OMB and to defend the decision of the Committee of Adjustment. There is urgency in this matter because the appeal will be scheduled for a hearing shortly.

(Submitted to City Council on November 13 and 14, 2013 as MM41.12)

**Background Information (City Council)**

Member Motion MM41.12

Committee of Adjustment, Etobicoke York Panel Notice of Decision on Consent and application for Minor Variance/Permission for 0 Verona Avenue, 55 and 60 Emmett Avenue (<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-63483.pdf>)