

City Council

Notice of Motion

MM50.11	ACTION			Ward:35
---------	--------	--	--	---------

Staff Representation at an Ontario Municipal Board Hearing - 125 Donside Drive - by Councillor Michelle Berardinetti, seconded by Councillor Peter Milczyn

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Scarborough 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 Michelle Berardinetti, seconded by Councillor Peter Milczyn, recommends that:

1. City Council direct the City Solicitor to appeal the decisions of the Committee of Adjustment respecting 125 Donside Drive and authorize the City Solicitor and City Planning staff to attend the Ontario Municipal Board hearing in opposition to the Committee of Adjustment's approval of the consent and associated minor variances.

Summary

The owner applied to the Committee of Adjustment for a consent to sever the property at 125 Donside Drive into two residential lots, and for a number of associated minor variances (including for lot frontage, lot area and side yard setbacks) in order to permit the construction of new two-storey single detached dwellings on each of the proposed lots. The existing house would be demolished.

On Thursday March 20, 2014, the Committee of Adjustment, Scarborough Panel approved the consent application, subject to the City's standard conditions for consent applications, and approved the minor variances subject to the standard conditions of the Urban Forestry Branch, Parks, Forestry and Recreation.

City Planning staff had recommended that the applications be refused to protect the neighbourhood's consistent pattern of lot frontages and the existing physical character of the neighbourhood. The surrounding established neighbourhood is stable and defined by consistently wide lots, mature trees and abundant landscaped open spaces. The housing pattern on the street and in the wider immediate area comprises one-storey dwellings, with intermingled two-storey homes. The consent and associated variances granted are not consistent with what has been previously approved by the Committee of Adjustment in this area, and do not meet the intent and purpose of the Zoning By-law. The proposed lots and

dwellings would be out of keeping with the existing physical character of the area.

(Submitted to City Council on April 1 and 2, 2014 as MM50.11)

Background Information (City Council)

Member Motion MM50.11

Committee of Adjustment Scarborough Panel - Notice of Decision on Consent and Minor Variance (Parts 1 and 2) for 125 Donside Drive

<http://www.toronto.ca/legdocs/mmis/2014/mm/bgrd/backgroundfile-67945.pdf>

(March 13, 2014) Report from the Director, Community Planning, Scarborough District on 125 Donside Drive

<http://www.toronto.ca/legdocs/mmis/2014/mm/bgrd/backgroundfile-67946.pdf>

(March 18, 2014) Addendum to the report from the Director, Community Planning, Scarborough District on 125 Donside Drive