

Member Motion

City Council

Motion Without Notice

MM52.32	ACTION			Ward:23
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Staff Representation at an Ontario Municipal Board Hearing for 137 Florence 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 137 Florence Avenue and authorize the City Solicitor to attend the Ontario Municipal Board hearing in opposition to the Committee of Adjustment's approval of the minor variance with respect to the proposed east side yard setback, the proposed west side yard setback and the proposed main wall height.

Summary

On May 28, 2014, the Committee of Adjustment North York Panel considered an application for Minor Variance submitted by Rubinoff Design Group, on behalf of the applicant, to permit the construction of a new two-storey dwelling at 137 Florence Avenue. The Committee approved all 12 requested variances, including a proposed east side yard setback of 0.61 metres where 1.2 metres is required, a proposed west side yard setback of 0.86 metres where 1.2 metres is required and a proposed main wall height of 7.68 metres where 7.5 metres is permitted.

Side yard setbacks of 0.61 metres and 0.86 metres would be smaller than what has been previously approved for a new two-storey dwelling in this area, specifically on streets west of Botham Road. It does not fit the current character of the neighbourhood or meet the intent of the zoning by-law. It would also risk setting a precedent for future applications requesting smaller side yard setbacks.

This Motion is urgent as the Ontario Municipal Board hearing on this matter may be scheduled before the next City Council meeting.

(Submitted to City Council on June 10 and 11, 2014 as MM52.32)

Background Information (City Council)

Member Motion MM52.32

(May 28, 2014) Memorandum from Councillor John Fillion regarding 137 Florence Avenue

(<http://www.toronto.ca/legdocs/mmis/2014/mm/bgrd/backgroundfile-70453.pdf>)

(May 20, 2014) Report from the Director, Community Planning, North York District regarding 137 Florence Avenue

(<http://www.toronto.ca/legdocs/mmis/2014/mm/bgrd/backgroundfile-70424.pdf>)

Committee of Adjustment North York Panel - Public Hearing Notice on Minor

Variance/Permission for 137 Florence Avenue

(<http://www.toronto.ca/legdocs/mmis/2014/mm/bgrd/backgroundfile-70454.pdf>)