Member Motion

City Council

Notice of Motion

**MM55.4**

**ACTION**

Ward:6

Request for Attendance at an Ontario Municipal Board Hearing - Appeal of Committee of Adjustment Decision Respecting 48 Thirty Fifth Street - by Councillor Mark Grimes, seconded by Councillor James Maloney

* 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 Hearing and has been deemed urgent.

**Recommendations**

Councillor Mark Grimes, seconded by Councillor James Maloney, recommends that:

1. City Council authorize the City Solicitor to attend at the Ontario Municipal Board in support of the Committee of Adjustment Decision to refuse the consent and minor variances (B65/13EYK, A475/13EYK and A476/13EYK) for 48 Thirty Fifth Street, and to retain an independent land use planner if necessary.

**Summary**

The owners of the land municipally known as 48 Thirty Fifth Street applied to the Committee of Adjustment to obtain a consent (Application B65/13EYK) and a number of associated minor variances (Applications A475/13EYK and A476/13EYK) in order to build two new detached dwellings.

On June 26, 2014, the Committee refused the consent and minor variances.

There are concerns that the variances are not in keeping with the intent and purpose of the zoning by-law, and that the proposed lot frontages and areas are out of keeping with the existing physical character of the surrounding neighbourhood. Massing and setbacks are also issues of concern to neighbourhood residents.

(Submitted to City Council on August 25 and 26, 2014 as MM55.4)

**Background Information (City Council)**

Member Motion MM55.4

Committee of Adjustment Etobicoke York Panel - Notice of Decision on Consent and Minor Variance/Permission Applications - 48 Thirty Fifth Street