TORONTO Member Motion

City Council

Notice of Motion

MM55.42	ACTION			Ward:5

Request for Attendance at the Ontario Municipal Board Hearing - Appeal of Committee of Adjustment Decision respecting 45 Cardigan Road (A65/14EYK) - by Councillor James Maloney, seconded by Councillor Mark Grimes

**** 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 and has been deemed urgent.***

Recommendations

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

1. City Council authorize the City Solicitor and City Planning staff to attend the Ontario Municipal Board hearing to oppose to the Committee of Adjustment's approval of the minor variances for 45 Cardigan Road.

Summary

An application for minor variances/permission (File A65/14EYK) was made by the property owner to construct a new detached dwelling with a secondary suite at 45 Cardigan Road.

The requested variances to the Committee of Adjustment were: the new dwelling will have a floor space index of 0.55 times the lot area (320.1 m2) where the By-law requires a maximum permitted floor space index of 0.45 times the lot area (261.3 m2); the new dwelling will have a height of 10.34 m whereas the By-law requires a maximum permitted dwelling height of 9.5 m; a secondary suite is proposed with the new dwelling where the By-law for a secondary suite is a permitted use provided that the entire building was constructed more than five years prior to the introduction of a secondary suite. The Committee of Adjustment decision on June 26, 2014 authorized these variances.

The staff report that was sent to the Committee of Adjustment requesting variances for floor space index and dwelling height are not in keeping with the character of the neighbourhood or the intent of the Zoning By-law. City Planning staff recommended the application be refused.

There were a significant number of residents that voiced their opposition to the Committee of Adjustment decision; subsequently the decision has been appealed to the Ontario Municipal Board by a resident.

(Submitted to City Council on August 25 and 26, 2014 as MM55.42)

Background Information (City Council)

Member Motion MM55.42
Committee of Adjustment Etobicoke York Panel - Notice of Decision on Minor Variance/Permission for 45 Cardigan Road
(http://www.toronto.ca/legdocs/mmis/2014/mm/bgrd/backgroundfile-72989.pdf)