
Date: October 23, 2015
To: Members of Etobicoke York Community Council
From: Councillor Mark Grimes
Subject: Request for Appeal and Attendance at Ontario Municipal Board Hearing – Appeal of Committee of Adjustment Decision for 29 Ash Crescent.

SUMMARY:

On November 7, 2013, the Committee of Adjustment (Decision A231/13EYK) approved a new detached dwelling at 29 Ash Crescent with variances for front yard setback of 6.45 m, floor space index of 0.54 times the lot area, and east and west side yard setback of 0.38 m. The Building Department inspected the site and issued an Order to Comply Notice on May 7, 2015, as construction of the dwelling was not proceeding in accordance with the issued plans under permit #14-149485.

The owners of 29 Ash Crescent re-applied to the Committee of Adjustment for minor variances (Application A443/15EYK) in order to maintain the existing as built dwelling and to legalize and to maintain a partial third floor addition.

City Planning staff prepared a report recommending refusal, and the local community and I submitted concerns that the variances are not in keeping with the intent and purpose of the zoning by-law, the existing physical character of the surrounding neighbourhood, or what was originally approved.

On August 27, 2015, the Committee refused the minor variances. The COA's decision has been appealed to the Ontario Municipal Board (Case # PL150959) and is awaiting a hearing date that may take place as early as January 2016.

RECOMMENDATION

That Etobicoke York Community Council recommend that:

1. City Council direct the City Solicitor, City Planning and Toronto Building to attend the Ontario Municipal Board hearing for OMB Case # PL150959 to support the Committee of Adjustment's refusal of the requested variances for 29 Ash Crescent.

Thank you for your consideration.

Sincerely,



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