

City Council

Notice of Motion

MM23.8	ACTION			Ward:35
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59 Bexhill Avenue - Request for Attendance at an Ontario Municipal Board Hearing - Appeal of Committee of Adjustment Decision (B0041/16SC, A0212/16SC and A0213/16SC) - by Councillor Michelle Holland, seconded by Councillor Jim Karygiannis

** 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 Ontario Hearing and has been deemed urgent.*

Recommendations

Councillor Michelle Holland, seconded by Councillor Jim Karygiannis, recommends that:

1. City Council direct the City Solicitor to attend the Ontario Municipal Board to oppose the applicant's appeal of Committee of Adjustment Applications B0041/16SC, A0212/16SC and A0213/16SC respecting 59 Bexhill Avenue, and to retain outside consultants as necessary.

Summary

The Scarborough District Panel of the Committee of Adjustment refused a consent and two minor variance applications related to the property municipally known as 59 Bexhill Avenue on Thursday, October 6, 2016.

The applicant is seeking consent to sever 59 Bexhill Avenue into two undersized lots. The applicant is also seeking relief from the provisions of Clairlea Community By-law 8978 and City-wide Zoning By-law 569-2013 to construct two new three-storey detached dwellings. The requested minor variances relate to lot frontage, lot area, lot coverage, building height, first floor area, side yard setbacks, eaves setbacks and number of storeys.

The proposed severance does not satisfy the criteria under subsection 51(24) of the Planning Act. The proposed minor variances do not maintain the general intent and purpose of the Official Plan and zoning by-laws, are not desirable for the appropriate development of the land and are not minor.

The applicant has appealed the Committee of Adjustment's decisions to the Ontario Municipal Board.

Background Information (City Council)

Member Motion MM23.8

(October 6, 2016) Committee of Adjustment, Scarborough Panel Notice of Decision on applications for Consent and Minor Variance/Permission for 59 Bexhill Avenue
(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-98998.pdf>)