

Councillor Frances Nunziata

Council Speaker

Ward 11 York South—Weston



January 3, 2017

To: Chair and Members, Etobicoke York Community Council

Re: Request for Attendance at an Ontario Municipal Board Hearing – Support for Committee of Adjustment Decision – 104X Wendell Avenue

SUMMARY:

By decision dated November 17, 2016, the Committee of Adjustment-Etobicoke York Panel (“COA”) refused the application (B0063/16EYK) for consent to sever the property at 104X Wendell Avenue (“**Subject Property**”), as well as the applications (A0718/16EYK; A0719/16EYK) for minor variances for the Subject Property. The owner of the Subject Property has appealed the refusal to the Ontario Municipal Board (“OMB”); a hearing has not yet been scheduled.

The application submitted to the COA was for consent to sever the property into two undersized residential lots, with two new detached dwellings to be constructed.

A community meeting was held regarding this application on November 14, 2016 and all were strongly opposed to the requested consent to sever, which would see the existing lot divided into half, resulting in two lots with frontages of only 7.62 m in an area where the minimum lot frontage is 15.0 m. In addition to the objection by the community, Community Planning submitted comments to the COA recommending refusal of the application noting that if approved, it would “create two lots significantly deficient in required lot frontage and required lot area”.

Urban Forestry, in their comments to the COA, noted that approval of the consent to sever and variances would result in construction that would require the removal of a healthy 461 cm in diameter Colorado blue spruce tree on the Subject Property, a valuable part of the Urban Forest.

The COA appropriately refused the applications to sever and build on the Subject Property and it is important that the decision is upheld.

RECOMMENDATIONS:

That Etobicoke York Community Council recommend that:

City Council authorize the City Solicitor, City Planning, and any other appropriate City Staff to attend the Ontario Municipal Board hearing for 104X Wendell Avenue in support of the Committee of Adjustment's refusal of the consent and variances requested through Application Nos. B0063/16EYK, A0718/16EYK, and A0719/16EYK.

Councillor Frances Nunziata
Ward 11, York South—Weston