

City Council**Motion without Notice**

MM29.35	ACTION			Ward:41
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8 Lamont Avenue - Authority to Attend an Ontario Municipal Board Hearing - by Councillor Chin Lee, seconded by Councillor Norman Kelly

** This Motion has been deemed urgent by the Chair.*

** This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

Recommendations

Councillor Chin Lee, seconded by Councillor Norman Kelly, recommends that:

1. City Council direct the City Solicitor, along with appropriate City Staff, to attend the Ontario Municipal Board and to retain outside consultants as necessary in order to oppose the applicant's appeal of Committee of Adjustment Applications B0051/16SC, A0254/16SC and A0255/16SC respecting 8 Lamont Avenue.
2. City Council authorize the City Solicitor to attempt to negotiate with the applicant, a resolution of the appeal, in consultation with the Ward Councillor and appropriate City Staff.

Summary

The Scarborough District Panel of the Committee of Adjustment (the "Committee") refused a consent and two minor variance applications (the "Applications") related to the property municipally known as 8 Lamont Avenue. The Applications are known as municipal file numbers B0051/16SC, A0254/16SC, A0255/16SC.

The applicant is seeking consent to sever 8 Lamont Avenue into two undersized lots. The applicant is also seeking relief from the provisions of Agincourt Community By-law 10076 and City-wide Zoning By-law 569-2013 to construct two new two-storey detached dwellings. The requested minor variances relate to lot frontage, lot area, building length, north setback, and floor area.

On February 16, 2017 the Committee refused the Applications (the "Decision"). In the opinion of the Committee, the Applications did not satisfy the criteria set out in the provisions of Section 51(24) of the Planning Act, did not maintain the general intent and purpose of the Official Plan or the Zoning By-law, the variances were not considered desirable for the appropriate development of the land, and the variances were not considered minor.

The applicant has appealed the Committee's Decision to refuse the Applications to the Ontario Municipal Board.

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.

This matter is time sensitive and urgent as the Ontario Municipal Board hearing has been scheduled for August 15, 2017.

Background Information (City Council)

Member Motion MM29.35

Committee of Adjustment Scarborough Panel Notice of Decision on application for Minor Variance/Permission for 8 Lamont Avenue

(<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-104139.pdf>)

Committee of Adjustment Scarborough Panel Notice of Decision on application for Consent for 8 Lamont Avenue

(<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-104140.pdf>)

(February 13, 2017) Report from the Acting Director, Community Planning, Scarborough East District on 8 Lamont Avenue

(<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-104143.pdf>)