

CITY OF HAMILTON

NOTICE OF MOTION

Council Date: November 8, 2017

MOVED BY COUNCILLOR T. WHITEHEAD.....

Minor Variance Application A-323/17

WHEREAS, the Committee of Adjustment denied minor variance application HM/A-17:323 to increase the capacity of an existing residential care facility on 12 Lotus Avenue from the currently legally recognized capacity of 10 persons to a total of 16 persons;

WHEREAS, Planning Staff were also not supportive of the application and recommended denial;

WHEREAS, the applicant has appealed the decision of the Committee of Adjustment to the Ontario Municipal Board;

WHEREAS, absent any further direction from Council, City Legal and Planning staff will attend the hearing in opposition to the application;

WHEREAS, approval of minor variance application HM/A-17:323 will coincide with the closure of an existing Residential Care Facility and thereby will facilitate the accommodation of the existing 6 occupants at the 12 Lotus Avenue location; and,

WHEREAS, the 12 Lotus Avenue location is not disruptive to the surrounding neighbourhood.

THEREFORE BE IT RESOLVED:

- (a) That the City not oppose the applicant's appeal against the decision of the Committee of Adjustment (HM/A-17:323); and
- (b) That Legal Staff be directed to advise the Ontario Municipal Board that it will not oppose the appeal and that the City will not be appearing at the hearing of the appeal.