



Karen Stintz
Councillor - Ward 16, Eglinton Lawrence

Date: May 15, 2012
To: North York Community Council –City Clerk’s Office-Secretariat
From: Councillor Karen Stintz
Subject: Request for City Solicitor to attend OMB hearing for 70 Otter Crescent

SUMMARY:

On February 29, 2012 the Committee of Adjustment refused the application to permit construction of a new two-storey dwelling with an integral, below- grade, two-car garage on the above noted property. The existing dwelling and detached garage would be demolished.

The five variances requested were a proposed north side yard setback of 0.91m whereas a minimum north side yard setback of 1.20m is required; a proposed south side yard setback of 0.91m whereas a minimum south side yard setback of 1.20m is required; a proposed finished first floor height of 2.11m whereas a maximum finished first floor height of 1.50m is permitted; a proposed building length of 22.86m (including the excavated rear porch) whereas a maximum building length of 15.30m is permitted and a proposed below-grade garage whereas a below-grade garage is not permitted.

Staff recommended refusal of Variance #3: proposed finished first floor height of 2.11m and Variance #5: proposed below-grade garage. The Committee of Adjustment refused the entire application citing that the proposed dwelling was too large and did not maintain the existing physical character of the neighbourhood.

On March 19, 2012 the applicant appealed the Committee decision to the Ontario Municipal Board. A hearing has not been scheduled as yet.

RECOMMENDATIONS:

1. That Council authorize the City Solicitor to retain outside planning consultant(s) and the City Solicitor and outside planning consultant(s) to attend the Ontario Municipal Board hearing to uphold the Committee of Adjustment's decision.

Sincerely,

Karen Stintz
City Councillor