



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 404 Briar Hill Avenue

SUMMARY:

On April 11, 2012 the Committee of Adjustment North York Panel modified and approved on condition, a Minor Variance Application to permit the construction of a new two-storey dwelling on the above-noted property. The existing dwelling would be demolished.

Six variances were requested. The Staff Report recommended that Committee refuse Variance nos. 4 & 6, which pertained to the proposed below-grade garage which is not permitted and reduce the gross floor area.

The Minor Variance Application was approved on condition. The Committee of Adjustment approved a variance for the proposed front yard landscaped open space of 40% and modified and approved a proposed gross floor area of 207.97m² (0.50 times the area of the lot) only. Urban Forestry conditions were also included in the decision.

On April 27, 2012 the applicant appealed the Committee decision to the Ontario Municipal Board. A hearing has not yet been scheduled.

RECOMMENDATIONS:

1. That City 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