



*Karen Stintz*  
Councillor - Ward 16, Eglinton Lawrence

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**Date:** February 25, 2014  
**To:** North York Community Council –City Clerk's Office-Secretariat  
**From:** Councillor Karen Stintz  
**Subject:** Request for Representation at the Ontario Municipal Board Hearing  
File#: A685/13NY – Property Address: 585 Castlefield Avenue

That City Council authorize the City Solicitor and appropriate City staff to appear at the Ontario Municipal Board Hearing to uphold the Committee of Adjustment's decision.

The applicant is proposing to construct a new two-storey detached dwelling with an integral, at grade, two-car garage. Existing dwelling would be demolished.

**SUMMARY:**

On November 6, 2013 the applicant sought 5 variances:

- 1) Section 10.20.40.10.(4) By-Law No. 569-2013; proposed building height 9.66m  
Whereas, maximum permitted 7.2m
- 2) Section 10.20.40.40.(1) By-Law No. 569-2013; proposed FSI .76 times the area of the lot  
Whereas, maximum permitted FSI is .60 times the area of the lot
- 3) Section 10.20.40.70.(2) By-Law No. 569-2013; proposed rear yard setback of 8.10 m  
Whereas, minimum required 9.09 m
- 4) Section 4(2) By-Law No. 438-86; proposed building height 9.66m  
Whereas, maximum permitted building height is 9m
- 5) Section 6(3) By-Law No. 438-86; proposed GFA of .76 times the area of the lot  
Whereas, maximum permitted GFA is .60 times the area of the lot

Staff recommended that Committee reduce the proposed building height and density (Variance 1 & Variance 8) to a size that is more in keeping with previous Committee approvals and the character of the surrounding area.

The Committee of Adjustment approved the Minor Variance Application on condition:  
Variances 2, 3 and 5 were approved.

Variance 1 was modified and approved to a proposed building height of 9.00m

Variance 4 was **refused** for the following reasons:

- The general intent and purpose of the Official Plan is not maintained;
- The general intent and purpose of the Zoning By-law is not maintained;
- The variance(s) is not considered desirable for the appropriate development of the land;
- In the opinion of the Committee, the variance(s) is not minor.



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The owner shall also satisfy the City of Toronto Municipal Code Chapter 813, Article II, with respect to City owned trees and Article III, with respect to privately owned trees, to the satisfaction of the Urban Forestry Division. The owner shall submit a Tree Security Deposit and sign a Tree Preservation Agreement to the satisfaction of the Urban Forestry Division.

**BACKGROUND INFORMATION**

(November 5, 2013) Report from Allen Appleby, Director, Community Planning, North York District

(November 6, 2013) Decision of the Committee of Adjustment, North York District

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