

Tuesday January 13, 2015

To the Administrator(s) and Members of the North York Community Council,

**Re: REQUEST FOR REPRESENTATION AT THE ONTARIO MUNICIPAL BOARD
HEARING - File #: A492/14 - Property Address: 5 Forest Wood**

Recommendation:

1. That North York Community Council authorize the City Solicitor and Director Community Planning, North York, to attend the Ontario Municipal Board on January 26, 2015 to request an adjournment for hearing file #A492/14, Property Address: 5 Forest Wood.
2. In the event that an adjournment is granted, North York Community Council recommends that City Council direct the City Solicitor and Director of Community Planning, North York, to attend the re-scheduled Ontario Municipal Board hearing for File #: A492/14 - Property Address: 5 Forest Wood to defend staff's position in opposition of the requested variances to the zoning by-law.

Summary:

The applicant has constructed a three-storey accessory building (treehouse) which sits 0.78m from the south property line and the east (rear) side of the structure sits 0.87m from the rear property line.

The variance application went before the Committee of Adjustments on July 23, 2014, which unanimously refused to permit the structure to remain as built. Staff recommended that the Committee refuse the application citing the location of the existing accessory structure's potential to create privacy issues, that it was not appropriate given that the structure is three-storeys in height and contributes to an overall lot coverage of 46.19%. On August 12, 2014 the applicant appealed the Committee's refusal decision to the Ontario Municipal Board. The hearing is currently scheduled for January 26, 2015.

This matter is very time sensitive and urgent as City Council next meets on February 10 and 11, 2015, after the January 26 hearing date. Obtaining an adjournment from the Ontario Municipal Board would allow City Council to take a position on whether to authorize the City Solicitor to attend a hearing at a later date to uphold the Committee of Adjustment's refusal to permit as constructed, a three-storey accessory building (treehouse) located at the rear, south east portion of the subject property.

Regards,

Councillor Christin Carmichael Greb
Ward 16, Eglinton-Lawrence