

Date: October 4, 2011
To: North York Community Council –City Clerk's Office-Secretariat
From: Councillor John Filion
Subject: 205 Elmhurst Avenue

SUMMARY:

2269107 Ontario Inc submitted an application to the Committee of Adjustment North Panel to permit a building height of 9.65 metres whereas the maximum building height permitted in the zoning bylaw is 8.8 metres. City Planning staff submitted a report requesting that "should the Committee approve this application, the approval be subject to the following conditions...The mean height of all portions of the roof be no more than 9.2m above the established grade". In its notice of decision dated September 21st 2011 the Committee approved the building height variance without the conditions requested by City staff.

In the opinion of Planning staff, the 9.6m variance would set a precedent for the area. It is therefore recommended that City Council authorize the solicitor to appeal the Committee decision and to have City Planning Staff appear in support of the appeal.

RECOMMENDATIONS:

1. That Council authorize the City Solicitor to appeal the Committee of Adjustment decision for 205 Elmhurst Avenue to the Ontario Municipal Board in opposition to the Committee of Adjustment's decision to approve a minor variance request for a building height of 9.65m, and that City Planning staff appear in support of the appeal

