

City Council

Notice of Motion

MM28.2	ACTION			Ward:23
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Staff representation at an Ontario Municipal Board hearing for 109 Elmwood Ave - by Councillor John Filion, seconded by Councillor Joe Mihevc

** Notice of this Motion has been given.*

** This Motion is subject to referral to the North York Community Council. A two-thirds vote is required to waive referral.*

** This Motion relates to an Ontario Municipal Board Hearing and has been deemed urgent.*

Recommendations

Councillor John Filion, seconded by Councillor Joe Mihevc, recommends that:

1. City Council authorize the City Solicitor to appeal the decision of the Committee of Adjustment to approve a first floor height variance of 1.8 metres at 109 Elmwood Avenue.
2. As an alternative to attendance at a hearing before the Ontario Municipal Board, City Council request the City Solicitor to seek a settlement which would reduce the height to 1.5 metres and the number of front steps to 6.

Summary

On November 7, 2012, the Committee of Adjustment North Panel considered an application for Minor Variances submitted by Rubinoff Design Group, on behalf of the applicant, to permit the construction of a new two-storey dwelling at 109 Elmwood Avenue. The application was approved.

The application included a variance for a proposed finished first floor height of 1.8 metres, compared to 1.5 metres required by the by-law. The first floor height variance and the resulting number of front steps is out of character with the surrounding neighbourhood and would establish a precedent which could lead to the approval of similar variances.

(Submitted to City Council on November 27 and 28, 2012 as MM28.2)

Background Information (City Council)

Member Motion MM28.2

Committee of Adjustment, North York Panel Notice of Decision and background documents on application for Minor Variance/Permission for 109 Elmwood Avenue

(<http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-52315.pdf>)