

City Council

Notice of Motion

MM36.3	ACTION			Ward:23
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Staff Representation at an Ontario Municipal Board Hearing for 51 Elmwood Avenue - by Councillor John Filion, seconded by Councillor Josh Matlow

** 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 Josh Matlow, recommends that:

1. City Council authorize the City Solicitor to appeal the approval of the minor variances for 51 Elmwood Avenue and authorize City Planning staff to attend the Ontario Municipal Board hearing in opposition to the Committee of Adjustment's approval of the minor variances with respect to the proposed lot coverage, proposed west side yard setback for a reversed corner lot and proposed one-storey extension west side yard setback to a reversed corner lot.

Summary

On May 23, 2013, the Committee of Adjustment North York Panel considered an application for Minor Variances submitted by the agent, on behalf of the owners, to permit the construction of a new two-storey dwelling at 51 Elmwood Avenue. City Planning Staff wrote a report requesting a reduction in the proposed lot coverage of 40.39 percent, and an increase in the proposed west side yard setback for a reversed corner lot of 1.23 m. and the proposed one storey extension west side yard setback to a reversed corner lot of 1.84 m. In the opinion of City Planning Staff, these variances do not respect or reinforce the character of the neighbourhood.

At the hearing on May 23, 2013, the Committee approved the application, with the proposed lot coverage reduced to 35 percent. Although this is less than what was originally requested, it is still significantly more than both the 30 percent that the by-law permits, and the maximum of 32 percent previously approved by the Committee of Adjustment on numerous other applications.

(Submitted to City Council on June 11 and 12, 2013 as MM36.3)

Background Information (City Council)

Member Motion MM36.3

Committee of Adjustment, North York Panel - Notice of Decision on application for Minor Variance/Permission for 51 Elmwood Avenue, Memorandum from Councillor John Filion, Ward 23, Willowdale, and report (May 14, 2013) from the Director, Community Planning, North York District

(<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-58943.pdf>)