John Filion

Toronto City Councillor – Ward 23, Willowdale

Date: **February 26, 2013**

To: North York Community Council –City Clerk's Office-Secretariat

From: Councillor John Filion

Subject: **Representation at an Ontario Municipal Board Hearing for 66 Princess Avenue**

SUMMARY:

An application for Minor Variances was submitted by Emily Tsang, on behalf of Liya Fu, to permit the construction of a new two-storey dwelling at 66 Princess Avenue.

At its meeting of January 9th 2013, the Committee granted all five variances, including a variance for a proposed finished first floor height of 1.8 meters.

Precedents have been established for finished first floor heights above the allowed amount of 1.5 meters, particularly on lots where there is a significant height increase between the established grade (measured at the crown of the road and from where all height measurements are taken) and the actual foot of the house. However, this is not the case with the lot in question, where the height difference between established grade and the foot of the house is only 0.12 meters. A minimum of 9 steps would be required between the foot of the house and the entrance under the proposed design, well outside of the 6 or less steps typical of the character of the neighbourhood. Full compliance with the bylaw would allow for 6 steps leading from the foot of the house to the entrance.

RECOMMENDATION:

1. That Council authorizes the City Solicitor to appeal the approval of the minor variances, and authorize the City Solicitor to attend the Ontario Municipal Board hearing in opposition to the Committee of Adjustment's approval of the minor variance with respect to the finished first floor height.

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