Date: April 9, 2013

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

From: Councillor Karen Stintz

Subject: Request for City Solicitor to attend OMB hearing for 68 Castle Knock Road

SUMMARY:
On February 20, 2013, an application was submitted to construct a two-storey dwelling with an integral, below-grade, single car garage. The existing dwelling would be demolished. Eight variances were submitted:
1. Proposed front yard setback of 3.85m
2. Proposed south side yard setback of 0.30m for the portion of the dwelling not exceeding 17.00m in depth.
3. Proposed distance to an adjacent dwelling of 0.90m which contains openings.
4. Proposed north side setback of 0.90m for the portion of the dwelling exceeding 17.00m in depth
5. Proposed south side setback of 0.90m for the portion of the dwelling exceeding 17.00m in depth
6. Proposed front yard soft landscaping of 49.75%
7. Proposed G.F.A. of 1.24 times the lot area (382.73m²) which includes the basement level but does not include the garage portion.
8. Proposed integral below-grade garage.

The Committee of Adjustment refused the minor variance application for the following reasons:
1) The general intent and purpose of the Official Plan is not maintained.
2) The general intent and purpose of the Zoning By-law is not maintained.
3) The variance(s) is not considered desirable for the appropriate development of the land.
4) In the opinion of the Committee, the variance(s) is not minor.

On March 4, 2013 the Applicant appealed the Committee decision to the Ontario Municipal Board. No date has been set for Case #PL 130231.

RECOMMENDATIONS:
1. That City Council authorize the City Solicitor and a City Planner to attend the Ontario Municipal Board hearing to uphold the Committee of Adjustment’s decision.

Sincerely,

Karen Stintz
City Councillor