

May 7, 2013

TO: The North York Community Council Members

FROM: Councillor David Shiner
Ward 24 – Willowdale

RE: **6125 Yonge Street - Request for Attendance at an Ontario Municipal Board Hearing – Appeal of Committee of Adjustment Files: A0516/10NY**

SUMMARY:

An application was submitted to the Committee of Adjustment (Application No. A0516/10NY) seeking relief from various provisions of North York By-Law 7625. These variances include a request for lot coverage of 38.44% whereas 33% is permitted, a rear yard setback of 4.5m whereas 7.5m is required, and variances for deficiencies concerning the number of parking spaces and size of loading area. The Committee of Adjustment refused the requested minor variances in a decision dated April 10, 2013 after finding that the variances did not meet the intent and purpose of either the Official Plan or Zoning By-law. The applicant has appealed that decision to the Ontario Municipal Board.

Accordingly, the following recommendation seeks to instruct staff to appear in support of the Committee of Adjustment decision. Planning has not written a report on the application, so it is also recommended that the City Solicitor be granted authority to retain an outside planning consultant to provide expert evidence.

RECOMMENDATIONS:

1. That Council authorize the City Solicitor to appear in support of decision A0516/10NY of the Committee of Adjustment and to retain outside consultants as necessary.

Councillor David Shiner
Ward 24 - Willowdale