



Karen Stintz
Councillor - Ward 16, Eglinton Lawrence

Date: August 12, 2014
To: North York Community Council –City Clerk's Office-Secretariat
From: Councillor Karen Stintz
Subject: Request for Representation at the Ontario Municipal Board Hearing
File#:A298/14NY; A299/14NY; B029/14NY – Property Address: 252 Heddington Avenue

That City Council authorize the City Solicitor and appropriate City staff, or if necessary, retain outside planners and experts to attend the Ontario Municipal Board hearing to uphold the Committee of Adjustment's Refusal of the Consent and Minor Variances.

SUMMARY:

On June 25, 2014, the Committee of Adjustment Refused the above application for consent to sever a parcel of residential lands into two parts for conveyance purposes for the creation of two new undersized building lots and the minor variance applications to build a new dwelling with integral garage on each of the undersized lots.

Staff recommended that should the Committee approve the application for Consent that is be subject to the conditions as set out in the report. With respect to the Minor Variances, staff recommended that the proposed lot coverage and building heights be reduced to be more in keeping with the intent of the zoning by-law and Official Plan and further recommended that the height of all side exterior main walls facing a side lot line be reduced with respect to application A299/14NY to be more in keeping with the intent of the zoning by-law and Official Plan.

The Committee of Adjustment refused the consent application on the following grounds:

- The proposed land division does not conform to the policies of the official plan.
- The suitability of the land for the purposes for which it is to be subdivided has not been demonstrated.
- The suitability of the dimensions and shapes of the proposed lots has not been demonstrated.
- The variance(s) are not minor
- The proposal(s) are not minor.

On July 14, 2014, the applicant appealed the decisions to the Ontario Municipal Board. A hearing has not been scheduled as yet.

BACKGROUND INFORMATION

(June 6, 2014) Report from Allen Appleby, Director, Community Planning, North York District
(June 25, 2014) Consent & Minor Variance Decisions, Committee of Adjustment, North York District

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