

Date: February 19, 2016

To: North York Community Council

Subject: Request for Attendance at an Ontario Municipal Board Hearing – Appeal of Committee of Adjustment Decision respecting 164 Parkhurst Boulevard (A1034/15NY)

Summary:

At its hearing on January 21, 2016, the Committee of Adjustment refused variance Application No. A1034/15NY respecting 164 Parkhurst Boulevard to construct a new two-storey dwelling (the existing dwelling would be demolished). The Committee of Adjustment Decision is attached. In its report dated January 11, 2016 to the Committee of Adjustment, Community Planning recommended that the requested variances with respect to Floor Space Index be modified to be more in keeping with the intent of the Zoning By-laws. The report of Community Planning is attached. The Floor Space Index proposed by the applicant is 0.646 times the lot area, whereas the permitted Floor Space Index under the Zoning By-laws is 0.45 times the lot area. Community Planning advises that although several properties within the neighbourhood have been approved at a Floor Space Index greater than is permitted under the Zoning By-laws, recent approvals for increased Floor Space Index on this section of Parkhurst Boulevard, have generally ranged between 0.45 and 0.54 times the area of the lot. City staff also have concerns that certain variances may have been missed or incorrectly identified on this application and that additional variances may be required.

The applicant has appealed the refusal of the Committee of Adjustment to the Ontario Municipal Board. A hearing has not yet been scheduled.

Recommendation:

That City Council:

1. Direct the City Solicitor to attend at the Ontario Municipal Board, together with appropriate City staff, in support of Community Planning's position as set out in Community Planning's report of January 11, 2016 respecting Application A1034/15NY for 164 Parkhurst Boulevard."

Thank you for your consideration of this matter.

Sincerely,



Jon Burnside
Ward 26