

**NOTICE OF MOTION****STAFF REPRESENTATION AT THE ONTARIO MUNICIPAL  
BOARD – 102 HENDON AVENUE****Moved by: Councillor****JOHN FILION****Seconded by: Councillor****SUMMARY:**

Rajinder Sethi, the owner of 102 Hendon Avenue, made an application to the Committee of Adjustment, North York District for the division of a parcel of residential lands into two parts for the creation of a new residential building lot.

Minor Variance Applications were also made for the construction of a new two storey dwelling on each of the proposed lots. Variances were requested with respect to lot frontage and width , lot area , east and west side yard setbacks, lot coverage, below grade garages and finished first floor elevation.

The applications were considered by the Committee of Adjustment on September 26<sup>th</sup>, 2007, where it was the decision of the Committee to approve the severance. The Minor Variance applications were also approved with a modification to increase the interior east and west side yard setbacks.

Planning staff reported that below grade garages were not in keeping with the character of the surrounding area and that the property should be developed within the parameters granted for 104 and 104 A Hendon Avenue, with respect to the internal and external side yard setbacks of 1.2m (4') and the garage being located at grade, with no increase in the finished first floor elevation.

The two (2) Minor Variance Applications have been appealed to the Ontario Municipal Board.

The Ontario Municipal Board has not yet set a date for the hearing.

The Councillor is requesting that Legal and Planning Staff attend the Ontario Municipal Board hearing.

**RECOMMENDATIONS:**

1. That Council authorize the City Solicitor and Planning staff to attend the Ontario Municipal Board hearing to uphold the Committee's decision with respect to the interior east and west side yard setbacks and to uphold the City's by-law with respect to below grade garages.

October 30, 2007