

## NOTICE OF MOTION

### ONTARIO MUNICIPAL BOARD HEARING – COMMITTEE OF ADJUSTMENT APPLICATION – 304 CHURCHILL AVENUE

Moved by: Councillor JOHN FILION

Seconded by: Councillor \_\_\_\_\_

#### SUMMARY:

Tal Ha Yek, the owner of 304 Churchill Avenue, submitted a Consent application to the North York District Committee of Adjustment for the division of a parcel of residential lands fronting onto the north side of Churchill Avenue into two lots having frontages of 10.63m.

Tal Ha Yek, the owner of 304 Churchill Avenue, submitted two Minor Variance applications to the North York District Committee of Adjustment to permit 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, lot coverage, east and west side yard setbacks, rear yard setback and below grade garages.

The Committee of Adjustment for the City of Toronto (North District) refused the Consent application and the two associated Minor Variance applications at the October 5<sup>th</sup>, 2006 meeting.

Planning staff commented that the resulting lots would be the smallest in terms of both lot frontage and lot area and would be contrary to the by-law requirement. There would appear to be no need for the introduction of smaller lots into this area.

The applicant has appealed the decisions of the Committee of Adjustment to the Ontario Municipal Board.

The Ontario Municipal Board has not set a hearing date for these applications.

The Councillor is requesting representation at the Ontario Municipal Board hearing.

#### RECOMMENDATIONS:

1. That Council authorize the City Solicitor and City Planning Staff to attend the Ontario Municipal Board Hearing to uphold the City's By-law and the Committee of Adjustment's decisions.

January 16<sup>th</sup>, 2007