
City Council

Motion without Notice

MM49.21	ACTION			Ward: 16
---------	--------	--	--	----------

**Ontario Municipal Board Hearing – A0067/10NY – 96 Glengarry Avenue
- by Councillor Stintz, seconded by Councillor Saundercook**

** This Motion has been deemed urgent by the Chair. Council has added this Motion to the agenda for debate.*

Recommendations

Councillor Stintz, seconded by Councillor Saundercook, recommends that:

1. City Council direct the City Solicitor and appropriate Planning Staff to attend the Ontario Municipal Board hearing to uphold the Committee of Adjustment's decision respecting 96 Glengarry Avenue.

Summary

On April 14, 2010 the Committee of Adjustment, North York Panel, modified the application to permit west side yard setback of 0.31m, whereas a minimum side yard setback of 0.45m is required and access to the third floor in order to be used for habitable space. The applicants were before Committee twice previously (A108/09NY and A0321/09NY) and were granted variances to the Gross Floor Area of 82.3% (202.55 square metres) and a west side yard setback of 0.31m. The applications were approved with the conditions that no living or habitable space be located on the third floor, no stairs leading to the third floor and the dormer windows in the roof be non-operational. The intention of these conditions was to limit the future possibility of conversion of the third floor into habitable space which would increase the Gross Floor Area significantly. The applicants are before committee once again to seek permission for increased GFA which would be a result of the third floor space being converted to livable or habitable space. City Planning Staff recommended Refusal.

It was the decision of the Committee of Adjustment that the Minor Variance Application be approved on Condition. The Committee of Adjustment's decision is attached.

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

(Submitted to City Council on May 11 and 12, 2010 as MM49.21)