

NOTICE OF MOTION**Request for City Representation at the Ontario Municipal Board –
A0427/09/NY – 246 Holmes Avenue****Moved by: Councillor Filion****Seconded by: Councillor**

SUMMARY:

On October 29, 2009, the Committee of Adjustment (COA) – North Panel – issued a decision approving these minor variances for a new two-storey dwelling at 246 Holmes Avenue.

The Committee approved three minor variances, one with respect to a building length of 17.07m, and two variances for reductions in the east and west side yard setbacks to 1.0m. On November 17, 2009, the ward councillor appealed the decision to grant variances for the two side yards to the Ontario Municipal Board, on the ground that the proposed side yards are contrary to the intent of the zoning by-law and out of keeping with the character of the neighbourhood.

Based on discussions with the applicant, the applicant has advised that it is prepared to withdraw its request for minor variances to the east and west side yards.

The OMB has scheduled a hearing on this appeal for March 4, 2010. Staff did comment on this applicant, but did not oppose the three minor variances.

RECOMMENDATIONS:

1. That Council authorize the City Solicitor to attend the Ontario Municipal Board Hearing and retain outside planning consultants, if necessary, in opposition to the granting of the three minor variances in the matter A0427/09NY – 246 Holmes Avenue, and further that the City Solicitor be instructed not to oppose the minor variance for the maximum building length of 17.07m provided the applicant withdraws its request for the two minor variances to the minimum sideyards.