

John Filion

Toronto City Councillor – Ward 23, Willowdale

Date: May 15, 2012

To: North York Community Council –City Clerk's Office-Secretariat

From: Councillor John Filion

Subject: **Representation at an Ontario Municipal Board
Hearing for 283 Dunforest Avenue**

SUMMARY:

On April 15 an application for Minor Variance was submitted by Mehdi Hosseini, on behalf of Fathollah Nikbakhsh, to allow construction of a single family dwelling on the property of 283 Dunforest Avenue. The Committee approved the requested variances, with the exception of variance number 3, requesting a proposed driveway width of 10.6 metres, where 6 metres is allowed by the bylaw. The refusal of this variance has been appealed to the Ontario Municipal Board.

The Committee approved variance number 2, requesting proposed front yard landscaping of 56.1%, where a minimum of 60% front yard landscaping is required by the bylaw. However, it appears that this variance is not reflected in the drawings submitted with the application to the Committee, which seems to show less than 56.1% front yard landscaping. Although Variance number 3 appears to be excessive, it is more acceptable if moderated by the amount of landscaping, provided for in the approved variance number 2.

RECOMMENDATION:

1. That Council authorizes the City Solicitor to contact the applicant to attempt to secure a settlement that does not exceed any of the variances requested before the Committee of Adjustment, and, should this not be successful, that the solicitor appear at the hearing to oppose any variance in excess of what was requested before the Committee.



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