Date: April 9, 2013

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

From: Councillor John Filion

Subject: Drawings accompanying minor variance applications (North York Community Council Area)

SUMMARY:

Over the past months, Staff in my office examining Committee of Adjustment Applications have identified what appears to be a pattern of lack of conformity between the variances requested and the accompanying front elevation drawings submitted. All applicants are required to sign a form stating that the drawings submitted for the Committee’s consideration are accurate (attached).

In several instances, it appears that the Committee has approved variances for finished first floor height of 1.8 meters with accompanying drawings which show a finished first floor height of 1.5 meters. In other instances, where the request for the same finished first floor height variance has been accompanied by accurate drawings, the Committee has refused the variance. This brings into question the issue of whether variances have been granted, which otherwise would have been refused, as a result of the Committee being supplied with incorrect drawings. The minor variance application for finished first floor height of 1.8 meters for 251 Dunforest Avenue appears to be accompanied by drawings showing a finished first floor height of 1.5 meters.

RECOMMENDATIONS:

1. Planning Staff be requested to compare the finished first floor height variance for 251 Dunforest Avenue (attached) with the elevation accompanying the application (attached).

2. If it is determined that an inconsistency exists, that Staff examine whether this is a part of a pattern of behaviour.

3. If a pattern of behaviour exists, that Staff of the Planning Department and Legal Department report back to Community Council on appropriate action to prevent this from happening in the future, whether legal action is appropriate and whether the variances granted in such instances are legally valid.