

John Filion

Toronto City Councillor – Ward 23, Willowdale

Date: April 14, 2015
To: North York Community Council –City Clerk's Office-Secretariat
From: Councillor John Filion
Subject: Representation at an Ontario Municipal Board hearing for 241 & 243 Willowdale Avenue.

SUMMARY:

At its hearing on Thursday, February 5, 2015, the Committee of Adjustment refused Applications No. A908/14NY, A909/14NY and A910/14NY respecting 241 and 241 Willowdale Avenue for variances to permit the construction of a new detached two-storey dwelling with an integral garage on each of the three lots created by related consent applications. At the Committee of Adjustment hearing the applicant made the following changes to the variances originally requested:

A908/14NY

- 1 & 6. Lot Coverage reduced from 32.44% to **31.99%**
- 3. West side yard setback increased from 1.76m to **2.06m**

A909/14NY

- 1 & 5. Lot Coverage reduced from 32.77% to **31.99%**

A910/14NY

- 1 & 5. Lot Coverage reduced from 32.97% to **31.99%**
- 6. West side yard setback variance **REMOVED**

In advance of the hearing, the applicant also revised their drawings for application A908/14NY to include an entrance on Willowdale Avenue, as requested in the Planning Staff Report. The report recommended that the approval be subject to the following condition for the corner lot:

A908/14NY – 241 Willowdale Avenue (Parts 1 and 8)

1. The subject property to be developed in accordance with the west elevation drawings, date stamp received by the City of Toronto Planning Division, February 4, 2015.

The Committee granted the consents but refused the three variance applications. The applicant has appealed the refusal of the variances to the Ontario Municipal Board. The variance Decisions of the Committee of Adjustment are attached.



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The revised variance applications and west façade entrance are more in keeping with the character of the neighbourhood than the variances and west elevation drawings set out in the original applications and public hearing notices. The purpose of this motion is to direct the City Solicitor to attempt to secure an agreement with the appellant not to request from the OMB any variances greater than the ones set out in his revised applications at the Committee of Adjustment hearing, and failing which, to direct the City Solicitor to retain outside consultants as necessary and to attend at the OMB to request the OMB not to consider any variances greater than the ones set out in the revised variance applications.

A hearing has been scheduled for July 14, 2015.

RECOMMENDATIONS:

That Council:

1. direct the City Solicitor to attempt to secure agreement from the appellant in variance applications No.A908/14NY, A909/14NY and A910/14NY not to request from the OMB any variances greater than those set out in his revised applications at the Committee of Adjustment hearing as listed in the Notices of Decision issued by the Committee of Adjustment (the "Revised Variances");
2. direct the City Solicitor to attempt to secure agreement from the appellant the recommendation outlined in the Staff Report for a front façade on Willowdale Avenue for the corner lot (A908/14NY);
3. in the event the agreement in Recommendation 1 and 2 cannot be reached, authorize the City Solicitor to appear at the Ontario Municipal Board and to retain outside consultants as necessary to oppose any variances greater than the Revised Variances.



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