

# John Fillion

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Toronto City Councillor – Ward 23, Willowdale

**Date:** April 14, 2015

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

**From:** Councillor John Fillion

**Subject:** Representation at an Ontario Municipal Board Hearing for 37 Farrell Avenue

## **SUMMARY:**

An application for Minor Variances was submitted by Hooman Bandarchi to permit the construction of a new two-storey dwelling at 37 Farrell Avenue. At its meeting of March 25<sup>th</sup> 2015, the Committee of Adjustment granted all variances, including a variance requesting a proposed finished first floor height of 1.30 meters where 1.2 meters is allowed and a variance for the west side yard setback of 1.09m where 1.2m is allowed.

Both variances are greater than what has previously been approved in this area under Zoning By-law No. 569-2013 and would risk setting a precedent that would change the established physical character of the neighbourhood.

## **RECOMMENDATIONS:**

1. That Council authorize the City Solicitor to appeal the approval of the minor variances for 37 Farrell Avenue.
2. That Council direct the City Solicitor to attempt to negotiate a settlement of the appeal with the applicant, and authorize the City Solicitor to settle the appeal on behalf of the City in her discretion after consultation with the Ward Councillor.
3. In the event a settlement cannot be reached, City Council authorize the City Solicitor to attend at the Ontario Municipal Board in opposition to the Committee of Adjustment's approval of the minor variances, and to retain an outside planning consultant as necessary to support the City's position.



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