

# John Filion

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Toronto City Councillor – Ward 23, Willowdale

**Date:** November 10, 2015

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

**From:** Councillor John Filion

**Subject:** Request for Appeal and Representation at an Ontario Municipal Board Hearing for 63 Norton Avenue

## **SUMMARY:**

An application for two Minor Variances for first floor height (pursuant to North York Zoning By-law 7625 and Zoning By-law No. 569-2013 ) was submitted by Chuan Liang Architects on behalf of Fengping Lu, to legalize a two-storey detached dwelling currently under construction at 63 Norton Ave.

At its meeting of October 29<sup>th</sup>, 2015, the Committee of Adjustment approved both variances.

The proposed variance is 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 prevailing character of the neighbourhood.

A variance for first floor height was also requested at the Committee on January 9, 2013 and was subsequently eliminated as part of a negotiated settlement at the Ontario Municipal Board at its hearing on June 7, 2013. The builder disregarded this binding settlement and constructed the house illegally.

## **RECOMMENDATION:**

1. That City Council authorize the City Solicitor to appeal the approval of the minor variances for 63 Norton Avenue, and authorize the City Solicitor to attend the Ontario Municipal Board hearing in opposition to the Committee of Adjustment's approval of the minor variances with respect to the finished first floor height and to hire any outside consultants as needed.



Toronto City Hall  
100 Queen Street W., Suite B36  
Toronto, Ontario M5H 2N2  
Tel: (416) 392-0210  
Fax: (416) 392-7388  
councillor\_filion@toronto.ca

North York Civic Centre  
5100 Yonge Street  
Toronto, Ontario M2N 5V7  
Tel: (416) 395-6411  
Fax: (416) 395-6441  
www.johnfilion.ca