

City Council

Motion without Notice

MM8.36	ACTION			Ward: 15
--------	--------	--	--	----------

85 Rykert Crescent - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Jaye Robinson, seconded by Councillor Gary Crawford

** Notice of this Motion has not been given. A two-thirds vote is required to waive notice.
* This Motion is subject to referral to the North York Community Council. A two-thirds vote is required to waive referral.
* This Motion has been deemed urgent by the Chair.*

Recommendations

Councillor Jaye Robinson, seconded by Councillor Gary Crawford, recommends that:

1. City Council authorize the City Solicitor and appropriate City Staff to attend at the Toronto Local Appeal Body hearing to support the Committee of Adjustment's decision in Application A0195/19NY respecting 85 Rykert Crescent.
2. City Council authorize the City Solicitor to negotiate a settlement of the appeal of the decision in Application A0195/19NY respecting 85 Rykert Crescent and authorize the City Solicitor to settle the matter on behalf of the City in the City Solicitor's discretion after consultation with the Ward Councillor and with the Director, Community Planning, North York District.

Summary

On May 9, 2019, the North York Panel of the Committee of Adjustment approved an application brought by the owner of 85 Rykert Crescent for four minor variances pertaining to building height, side yard setback, lot coverage, and modified and approved one minor variance pertaining to density (the "Application"). The Committee of Adjustment reduced the density variance from 0.82 to 0.7. A copy of the Committee of Adjustment's decision is attached. The Application proposed to demolish the existing two-storey single detached dwelling to construct a new two-storey single detached dwelling.

In a report (April 30, 2019) from the Director, Community Planning, North York District, Community Planning Staff recommended the density variance of the Application be reduced to 0.7 or under. A copy of the Planning report is attached. Community Planning Staff opined that a reduced density would be more in line with the intent of the Zoning By-law and Official Plan.

The applicant has appealed the Committee of Adjustment's decision to the Toronto Local

Appeal Body. This Motion will authorize the City Solicitor and appropriate City Staff to attend the Toronto Local Appeal Body in order to oppose the appeal. This Motion will give the City Solicitor the authority to negotiate a settlement of the appeal.

This matter is time sensitive and urgent as the Committee of Adjustment's decision has been appealed and the City Solicitor requires instructions to attend the hearing.

Background Information (City Council)

Member Motion MM8.36

Committee of Adjustment, North York Panel Notice of Decision on application for Minor Variance/Permission for 85 Rykert Crescent

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-134749.pdf>)

(April 30, 2019) Report from the Director, Community Planning, North York District on 85 Rykert Crescent

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-134750.pdf>)