

**City Council****Motion Without Notice**

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| <b>MM10.27</b> | <b>ACTION</b> |  |  | Ward: 2 |
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**21 X Edgehill Road - Representation at Toronto Local Appeal Body Appeal Hearing - by Councillor Stephen Holyday, seconded by Councillor Brad Bradford**

*\* This Motion has been deemed urgent by the Chair.  
\* This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

**Recommendations**

Councillor Stephen Holyday, seconded by Councillor Brad Bradford, recommends that:

1. City Council direct the City Solicitor, and any other appropriate City staff, to attend the Toronto Local Appeal Body hearing in respect of 21 X Edgehill Road to ensure that the Toronto Local Appeal Body imposes City Planning staff's recommendation to the Committee of Adjustment, dated September 4, 2019, if the Toronto Local Appeal Body approves the applicant's Appeal (Application A0290/18EYK).
2. City Council authorize the City Solicitor to retain outside consultants as necessary.
3. City Council authorize the City Solicitor to attempt to negotiate a resolution of the Appeal and, if a resolution is reached, to settle the Appeal at the City Solicitor's discretion, and in consultation with the Ward Councillor and the Chief Planner and Executive Director, City Planning.

**Summary**

On September 12, 2019, the Etobicoke – York District Panel of the Committee of Adjustment refused a minor variance application related to the property municipally known as 21 X Edgehill Road. The applicant has appealed the refusal decision to the Toronto Local Appeal Body.

The applicant proposes to construct a new detached dwelling with an integral garage, a second and third storey platform. The application requires variances to City-wide Zoning By-law 569-2013 including variances for maximum permitted gross floor area; minimum required side yard setback; maximum permitted building height of a flat roofed dwelling; maximum number of platforms and area of platforms; chimney height; setback from the ravine bank; and maximum number of storeys.

Community Planning staff do not oppose the application. City Planning staff submitted a report dated September 4, 2019 to the Committee of Adjustment to recommend that, if the Committee of Adjustment approved the application, the applicant construct the new dwelling substantially in accordance with the plans that were filed with the Committee of Adjustment at its September 12, 2019 meeting.

Copies of the Notice of Decision of the Committee of Adjustment and the Community Planning Staff Report are attached.

This Motion will authorize the City Solicitor to attend the applicant's Toronto Local Appeal Body Appeal in order to ensure that City Planning staff's above-noted recommendation, should the Toronto Local Appeal Body approve the applicant's Appeal. This Motion will also authorize the City Solicitor to secure the necessary authorization and resources to support the City's position at the Appeal, including providing for the City Solicitor's ability to settle the matter.

This Motion is urgent because the deadline to become a party to the Appeal is October 2, 2019.

### **Background Information (City Council)**

Member Motion MM10.27

Committee of Adjustment Etobicoke York Panel Notice of Decision on application for Minor Variance/Permission for 21 X Edgehill Road

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-138527.pdf>)

(September 4, 2019) Report from the Director, Community Planning, Etobicoke York District on 21 X Edgehill Road

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-138525.pdf>)

(May 29, 2019) Report from Director, Community Planning, Etobicoke York District on 21 X Edgehill Road

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-138526.pdf>)