
Date: December 3, 2020

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

From: Councillor John Filion

Subject: Representation at the Toronto Local Appeal Body for 217 Churchill Avenue

SUMMARY:

This motion will give the City Solicitor authority, along with appropriate City Staff, to attend the Toronto Local Appeal Body (the "TLAB") in order to support the Committee of Adjustment's (the "COA") decision refusing the consent-to-sever and minor variance applications regarding the subject property located at 217 Churchill Avenue (Application Nos. B0021/20NY, A0335/20NY, and A0336/20NY) (the "Application").

The Application sought consent to sever the subject property into two lots for the purpose of constructing a new dwelling on each of the newly severed lots. The subject property is zoned RD (f15.0; a550)(x5), under Zoning By-law 569-2013, which requires a minimum lot frontage of 15.0 metres and minimum lot area of 550 square metres. The proposed severed lots would have a lot frontage of 10.67 metres and lot areas of 461.7 square metres and of 461.9 square metres, respectively. Additionally, each proposed new dwellings require 11 variances to Zoning By-law 569-2013 and former City of North York By-law 7625 in order to: reduce the side-yard setbacks, reduce the lot frontage and area requirements, increase the lot coverage, increase the exterior main sidewall height, increase the building length, increase the overall building height, reduce the front-yard landscaping coverage, among others.

Planning staff recommended that the COA refuse the Application because it fails to conform to the Official Plan, among other reasons.

On November 10, 2020, the COA refused the Application (the "Decision").

On November 27, 2020, the owner of 217 Churchill Avenue (the "Appellant") appealed the Decision to the TLAB. The Appeal, which will be considered by the TLAB, seeks approval of the Application.

At this time, a TLAB hearing date is yet to be scheduled for this Appeal.

RECOMMENDATIONS:

1. That City Council direct the City Solicitor to attend the Toronto Local Appeal Body, with appropriate City staff, in order to oppose the Appeal of the Committee of Adjustment's decision refusing the consent-to-sever and minor variances requested in Application Nos. B0021/20NY, A0335/20NY, and A0336/20NY, and any other variances that may be requested, regarding 217 Churchill Avenue.
2. That City Council authorize the City Solicitor to retain such outside consultants, as may be necessary, to oppose the Appeal.
3. That City Council authorize the City Solicitor to attempt to negotiate a resolution regarding the Appeal, and that the City Solicitor be authorized to resolve the matter on behalf of the City, in her discretion, after consulting with the Ward Councillor and with the Director of Community Planning, North York District.

ATTACHMENTS:

Attachment 1: Notice of Decision of the Committee of Adjustment regarding Application Nos. B0021/20NY, A0335/20NY, and A0336/20NY

Attachment 2: Community Planning Memorandum to the Committee of Adjustment regarding Application Nos. B0021/20NY, A0335/20NY, and A0336/20NY, dated November 03, 2020