

**City Council****Notice of Motion**

MM17.24	ACTION			Ward:24
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**Request for City Solicitor to Attend at Ontario Municipal Board - 14 Wycliffe Crescent - by Councillor David Shiner, seconded by Councillor John Fillion**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the North York Community Council. A two-thirds vote is required to waive referral.*

*\* This Motion relates to an Ontario Municipal Board Hearing and has been deemed urgent.*

**Recommendations**

Councillor David Shiner, seconded by Councillor John Fillion, recommends that:

1. City Council direct the City Solicitor to attempt to negotiate a settlement in the appeal of Committee of Adjustment Application No. A1051/15NY for 14 Wycliffe Crescent and authorize the City Solicitor to settle the matter on behalf of the City in her discretion after consultation with the Chief Planner and Executive Director, City Planning and the Ward Councillor.
2. 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 variances requested in Application No. A1051/15NY respecting 14 Wycliffe Crescent, and City Council authorize the City Solicitor to retain outside consultants as necessary.

**Summary**

At its hearing on February 4, 2016 the North York Committee of Adjustment partially granted variances to permit the construction of a new two-storey dwelling under Application No. A1051/15NY respecting 14 Wycliffe Crescent. The Committee of Adjustment granted variances with respect to the height of the side exterior main walls, building height, finished first floor height and building length. The Committee refused the requested variance with respect to the permitted lot coverage. Coverage of 30 percent of the lot area is permitted under the Zoning By-law. A coverage of 32 percent was requested. The Decision of the Committee of Adjustment is attached.

The variances requested under Application A1051/15NY are not in keeping with the character of the neighbourhood and do not satisfy the tests under the Planning Act.

The applicant has appealed the decision of the Committee of Adjustment to the Ontario

Municipal Board. The Ontario Municipal Board Hearing is scheduled for July 29, 2016.

**Background Information (City Council)**

Member Motion MM17.24

Committee of Adjustment, North York District Notice of Decision on application for Minor Variance/Permission for 14 Wycliffe Crescent

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-91540.pdf>)