

### City Council

#### Motion Without Notice

MM31.29	ACTION			Ward:23
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#### **89 Hillcrest Avenue - Authority to Attend at the Toronto Local Appeal Body - by Councillor John Filion, seconded by Councillor Joe Mihevc**

*\* 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 John Filion, seconded by Councillor Joe Mihevc, recommends that:

1. City Council authorize the City Solicitor to continue the appeal of application A0205/17NY respecting 89 Hillcrest Avenue to the Toronto Local Appeal Body.
2. City Council authorize the City Solicitor to attempt to negotiate a settlement in the appeal of the Committee of Adjustment's decision to approve application A0205/17NY respecting 89 Hillcrest Avenue and authorize the City Solicitor to settle the matter in City Solicitor's discretion after consultation with the Chief Planner and Executive Director, City Planning and the Ward Councillor.
3. In the event a settlement cannot be reached, City Council authorize the City Solicitor, along with appropriate City staff, to attend the Toronto Local Appeal Body and to retain outside consultants, as necessary, to oppose the minor variances requested in Committee of Adjustment application A0205/17NY respecting 89 Hillcrest Avenue.

#### **Summary**

On Thursday, June 8, 2017, the North York Panel of the Committee of Adjustment approved an application (A0205/17NY) for minor variances related to the property municipally known as 89 Hillcrest Avenue. The application sought to permit the construction of a new two-storey dwelling including a deck/terrace. The existing dwelling would be demolished.

The application proposes a lot coverage of 38.60 percent where 30 percent is the allowed under the Bylaw. This lot coverage is out of character with the neighbourhood.

The last day to appeal the Committee's decision to the Toronto Local Appeal Body was June 28, 2017. In order to preserve the City's rights to appeal, the City Solicitor has already appealed the Committee's decision to the Toronto Local Appeal Body. The City Solicitor

requires further instructions and direction to proceed with this appeal.

**Background Information (City Council)**

Member Motion MM31.29

Committee of Adjustment North York Panel Notice of Decision on application for Minor Variance/Permission for 89 Hillcrest Avenue

(<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-105547.pdf>)