

City Council

Motion without Notice

MM10.24	ACTION			Ward: 15
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158 McRae Drive - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Jaye Robinson, 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 Jaye Robinson, seconded by Councillor Brad Bradford, recommends that:

1. City Council authorize the City Solicitor and appropriate City Staff to attend the Toronto Local Appeal Body and to retain outside consultants as necessary to uphold the decision of the Committee of Adjustment with respect to application A0476/19NY respecting 158 McRae Drive.
2. City Council authorize the City Solicitor to negotiate a settlement of the appeal of the decision in Application A0476/19NY respecting 158 McRae Drive and settle the matter of behalf of the City at the City Solicitor's discretion after consultation with the Chief Planner and Executive Director, City Planning and the Ward Councillor.

Summary

On August 29, 2019, the North York Panel of the Committee of Adjustment approved on condition the application for minor variances for the property municipally known as 158 McRae Drive. The Notice of Decision is attached to this Motion.

In their report to the Committee dated August 23, 2019, which is attached to this Motion, Community Planning staff recommended modifications be made to the Application on consent of the applicant, with respect to building height and the number of storeys. Planning also recommended that, should the Committee approve the application, the approval be subject to conditions respecting the parking space width and the construction material of the proposed driveway. The Committee approved the modified Application and imposed the recommended conditions. The applicant appealed this decision of the Committee.

The applicant has appealed the Committee of Adjustment's modified Decision to the Toronto Local Appeal Body and the date for the hearing is January 13, 2020. Should City Council instruct the City Solicitor to attend the Toronto Local Appeal Body in support of the

Committee's decision on the modified Application and the imposed conditions, the City's Notion of Intention to be a Party is due October 24, 2019.

Background Information (City Council)

Member Motion MM10.24

Committee of Adjustment, North York Panel Notice of Decision on application for Minor Variance/Permission for 158 McRae Drive

<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-138520.pdf>

(August 23, 2019) Report from the Director, Community Planning, North York District on 158 McRae Drive

<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-138533.pdf>