
City Council**Motion without Notice**

MM11.24	ACTION			Ward: 15
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149 Highland Crescent - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Gary Crawford, seconded by Councillor Josh Matlow

** 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 Gary Crawford, seconded by Councillor Josh Matlow, recommends that:

1. City Council authorize the City Solicitor and appropriate City staff to attend the Toronto Local Appeal Body hearing to uphold the Committee of Adjustment's refusal of the consent and minor variances requested through Applications B0017/19NY, A0305/19NY, and A0306/19NY respecting 149 Highland Crescent.
2. City Council authorize the City Solicitor to retain outside consultants, as necessary.
3. City Council authorize the City Solicitor to negotiate a settlement of the appeal of the decision in Applications B0017/19NY, A0305/19NY, and A0306/19NY respecting 149 Highland Crescent and authorize the City Solicitor to settle the matter on behalf of the City at the City Solicitor's discretion after consultation with the Ward Councillor and with the Director, Community Planning, North York District.

Summary

On August 15, 2019, the North York Panel of the Committee of Adjustment refused an application brought by the owner of 149 Highland Crescent for consent to sever the lot into two lots and construct two single detached dwellings, and for associated minor variances including those pertaining to lot frontage and height. A copy of the Committee's decisions in respect of the requested consent and requested minor variances for each lot are attached.

On September 4, 2019, the owner appealed the Committee's refusal of the Applications to the Toronto Local Appeal Body. This Motion will authorize the City Solicitor, and appropriate City Staff, to attend the Toronto Local Appeal Body in order to oppose the appeal. This Motion will also give the City Solicitor authority to negotiate a settlement of the appeal and retain outside consultants, as necessary.

In the report (August 6, 2019) from the Director, Community Planning, North York District, Community Planning staff recommended that, should the Committee approve the application, it be made subject to a number of conditions. A copy of the Community Planning report is attached.

This matter is time sensitive and urgent as the Committee's decision has been appealed and the City Solicitor requires instructions to attend the hearing scheduled for January 14, 2020.

Background Information (City Council)

Member Motion MM11.24

Committee of Adjustment, North York Panel Notice of Decision on application for Minor Variance/Permission for 149 Highland Crescent

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-139382.pdf>)

Committee of Adjustment, North York Panel Notice of Decision on application for Consent for 149 Highland Crescent

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-139397.pdf>)

(August 15, 2019) Report from the Director, Community Planning, North York District on 149 Highland Crescent

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-139383.pdf>)