

**Ward 6**

City Hall, 100 Queen Street West  
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**MEMO**

**Date:** January 9, 2019

**To:** Members of the North York Community Council

**Subject:** 777 Wilson Heights Boulevard – Request for City Solicitor to Attend at the Toronto Local Appeal Body

**SUMMARY:**

On November 8, 2018, the Committee of Adjustment (the "Committee") heard a minor variance application related to the property municipally known as 777 Wilson Heights Boulevard. The owner of 777 Wilson Heights Boulevard (the "Applicant") sought to construct a second-storey addition to the existing single-detached dwelling that required minor variances to maintain the existing dwelling, covered patio, existing one-storey walk out enclosure, and structures, as constructed (the "Application"). The Applicant originally received approval from the Committee in 2017 to construct a second-storey addition in which the Applicant proposed to remove the existing rear patio platform and one-storey walk out enclosure. The 2018 Application proposed to maintain the existing rear platform and enclosure.

In a report prepared for the Committee from the Director of Community Planning, North York District dated October 30, 2018, Planning Staff recommended that the Application: (1) be deferred; or (2) refused, if the Committee did not grant a deferral ("Report").

The Report indicated that the Application was pre-mature because a revised zoning notice issued by Toronto Building clarified the variances ("revised zoning notice") that the Applicant would have to satisfy in its Application. The Committee based its Decision on an Application that did not address the revised zoning notice.

The Committee refused the Application ("Decision").

On November 26, 2018, the Applicant appealed the Committee's Decision to the Toronto Local Appeal Body ("TLAB").

**RECOMMENDATIONS:**

1. That City Council authorize the City Solicitor, along with appropriate City Staff, and outside consultants, as necessary, to attend the Toronto Local Appeal Body in order to oppose the

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Application and related variances requested in Application No. A0431/18NY respecting 777 Wilson Heights Boulevard; and

2. That City Council authorize the City Solicitor to attempt to negotiate a resolution of the appeal of the Committee of Adjustment's decision (Application No. A0431/18NY) respecting 777 Wilson Heights Boulevard, and 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

Attachment 2: Planning Staff Report to the Committee of Adjustment

Date: January 17, 2018

Sincerely,

A handwritten signature in blue ink, appearing to read "James Pasternak".

James Pasternak,  
Councillor, Ward 6