

## City Council

### Notice of Motion

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| MM16.1 | ACTION |  |  | Ward: 15 |
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**22 Lewes Crescent - Request for City Solicitor to Attend the Toronto Local Appeal Body regarding Appeal of Committee of Adjustment Decision (A0700/19NY) - by Councillor Jaye Robinson, seconded by Councillor Gary Crawford**

*\* 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 Toronto Local Appeal Body Hearing and has been deemed urgent.*

### Recommendations

Councillor Jaye Robinson, seconded by Councillor Gary Crawford, recommends that:

1. City Council direct the City Solicitor to attend the Toronto Local Appeal Body in order to support the appeals of the Committee of Adjustment's decision to approve the minor variances requested in Application A0700/19NY regarding 22 Lewes Crescent.
2. City Council authorize the City Solicitor to retain any such professionals as may be necessary to provide evidence in support of the appeals.
3. City Council authorize the City Solicitor to attempt to negotiate a resolution regarding the appeals, and City Council authorize the City Solicitor to resolve the matter on behalf of the City in the City Solicitor's discretion after consulting with the Ward Councillor and with the Director of Community Planning, North York District.

### Summary

This Motion will give the City Solicitor direction to attend the Toronto Local Appeal Body in order to support the appeals of the Committee of Adjustment's decision granting certain variances sought in an application respecting 22 Lewes Crescent (Application A0700/19NY) and authority to retain necessary professionals in support of that position.

The Application sought variances to the City's Zoning By-law 569-2013 and By-law 7625 in order to construct a new dwelling. In a report dated January 7, 2020, Community Planning recommended modifications to the Application, to reduce a requested variance for building height from 9.33 to 8.5 metres and to reduce the requested variance for building height under the North York Zoning By-law from 9.19 to 8.64 metres. Further, staff recommended that

should the Application be granted, that it should be granted on the condition that the dwelling to be built in accordance with the drawings attached to the staff report.

On January 16, 2020, the North York Panel of the Committee of Adjustment granted the Application with the heights as recommended by staff, along with the recommended condition. On February 4, 2020, the three owners of nearby properties (28 and 30 Lewes Crescent as well as 1 Saint Aubyns Crescent) each appealed the decision to the Toronto Local Appeal Body.

The appeals, which will be considered by the Toronto Local Appeal Body, seek to have the approval of the Application overturned on the grounds that the variances do not meet the four tests under the Planning Act and would result in overdevelopment of the site.

### **Background Information (City Council)**

Member Motion MM16.1

(January 7, 2020) Report from the Director, Community Planning, North York District on 22 Lewes Crescent

(<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-146290.pdf>)

Committee of Adjustment North York Panel Notice of Decision/Minor Variance/Permission for 22 Lewes Crescent

(<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-146291.pdf>)