

## City Council

### Motion with Notice

MM22.45	ACTION			Ward: 15
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**21 Killdeer Crescent - Request for City Solicitor to Attend at the Toronto Local Appeal Body - Appeal of Committee of Adjustment Decision (B0047/19NY, A0760/19NY and A0761/19NY) - 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 direct the City Solicitor to attend the Toronto Local Appeal Body in order to oppose the appeal of the Committee of Adjustment's decision to refuse the lot severance and minor variances requested in Applications B0047/19NY, A0760/19NY and A0761/19NY regarding 21 Killdeer Crescent.
2. City Council authorize the City Solicitor to retain such outside consultants as may be necessary to oppose the appeal.
3. City Council authorize the City Solicitor to attempt to negotiate a resolution regarding the appeal, and 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 authority with appropriate City Staff to attend the Toronto Local Appeal Body in order to support the Committee of Adjustment's decision refusing the lot severance application and the minor variance applications respecting 21 Killdeer Crescent (Applications B0047/19NY, A0760/19NY and A0761/19NY) (the "Applications").

The Applications sought to sever the lot at 21 Killdeer Crescent into two residential lots in order to construct a new single detached dwelling on each lot. The two new lots will have the lot frontages and lot areas that meet the minimum lot frontage and area requirements of Zoning By-law 569-2013. The Applications also required variances to Zoning By-law 569-2013 and Leaside Zoning By-law 1916 regarding relief to set-back requirements; floor-space-index; roof

eave encroachments; building height, among others. As a result of revisions to the initial Applications regarding lot coverage, platform encroachments, front-yard setbacks, among others, Planning staff raised no concerns with the revised Applications that were presented to the Committee of Adjustment.

On March 5, 2020, the Committee of Adjustment refused the Applications. On March 17, 2020, the owner of 21 Killdeer Crescent appealed the Decisions to the Toronto Local Appeal Body.

The Appeal, which will be considered by the Toronto Local Appeal Body, seeks approval of the Applications.

This Toronto Local Appeal Body hearing was scheduled for March 9, 2020 but has been postponed to a future date, yet to be scheduled, as a result of the COVID-19 pandemic

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

Member Motion MM22.45

Committee of Adjustment North York Panel Notice of Decision on application for Minor Variance/Permission for 21 Killdeer Crescent (Part 1)

(<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-148555.pdf>)

Committee of Adjustment North York Panel Notice of Decision on application for Minor Variance/Permission for 21 Killdeer Crescent (Part 2)

(<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-148574.pdf>)

Committee of Adjustment North York Panel Notice of Decision on Consent for 21 Killdeer Crescent

(<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-148575.pdf>)