

City Council

Motion Without Notice

MM22.49	ACTION			Ward: 18
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10 Harnish Crescent - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor John Filion, seconded by Councillor Shelley Carroll

** 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 John Filion, seconded by Councillor Shelley Carroll, recommends that:

1. City Council direct the City Solicitor to appeal the Committee of Adjustment's decision in Application A0040/20NY respecting 10 Harnish Crescent.
2. City Council authorize the City Solicitor and appropriate City Staff to attend at the Toronto Local Appeal Body hearing to oppose Application A0040/20NY respecting 10 Harnish Crescent.
3. City Council authorize the City Solicitor to retain outside consultants as necessary.
4. City Council authorize the City Solicitor to negotiate a settlement of the appeal of Application A0040/20NY respecting 10 Harnish 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 of Community Planning, North York District.

Summary

On June 11, 2020, the North York Panel of the Committee of Adjustment approved an application brought by the owner of 10 Harnish Cres (the

"Applicant") for a minor variance pertaining to lot coverage to permit the construction of a new dwelling.

In a report from the Director, Community Planning, North York District dated March 23, 2020, Community Planning Staff recommended that the Application be refused.

This Motion will authorize the City Solicitor to appeal the Application to the Toronto Local Appeal Body, to attend the Toronto Local Appeal Body in opposition to the Application, and to secure the necessary authorization and resources to support the City's appeal.

This matter is time sensitive and urgent as the deadline to appeal the Committee's decision is imminent and the City Solicitor requires instructions to appeal.

Background Information (City Council)

Member Motion MM22.

Committee of Adjustment North York Panel Notice of Decision on application for Minor Variance/Permission for 10 Harnish Crescent

(<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-148561.pdf>)

(March 23, 2020) Report from the Acting Director, Community Planning, North York District on 10 Harnish Crescent

(<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-148562.pdf>)