

City Council

Notice of Motion

MM27.3	ACTION			Ward: 2
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84 North Drive - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Stephen Holyday, seconded by Councillor Michael Ford

** Notice of this Motion has been given.*

** This Motion is subject to referral to Etobicoke York Community Council. A two-thirds vote is required to waive referral.*

** This Motion relates to an Toronto Local Appeal Body Hearing and has been deemed urgent.*

Recommendations

Councillor Stephen Holyday, seconded by Councillor Michael Ford, recommends that:

1. City Council direct the City Solicitor to appeal the Committee of Adjustment's decision in Applications B0024/20EYK, A0242/20EYK and A0243/20EYK respecting 84 North Drive.
2. City Council authorize the City Solicitor and appropriate City Staff to attend at the Toronto Local Appeal Body hearing to oppose Applications B0024/20EYK, A0242/20EYK and A0243/20EYK respecting 84 North Drive.
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 the decision in Applications B0024/20EYK, A0242/20EYK and A0243/20EYK respecting 84 North Drive and, if a resolution is reached, City Council authorize the City Solicitor to settle the matter on behalf of the City in the City Solicitor's discretion after consultation with the Ward Councillor, and with the Director, Community Planning, Etobicoke York District.

Summary

On December 3, 2020, the Etobicoke York Panel of the Committee of Adjustment approved a consent application and two Minor Variance Applications (B0024/20EYK, A0242/20EYK and A0243/20EYK) brought by the owners of 84 North Drive to sever the lot and permit the construction of a new detached dwelling with an attached garage on each lot.

In a report (November 26, 2020) from the Director, Community Planning, Etobicoke York District, Community Planning staff recommended that the Applications be refused.

This Motion will authorize the City Solicitor to appeal the Applications to the Toronto Local Appeal Body, to attend the Toronto Local Appeal Body in opposition to the Applications, and to secure the necessary authorization and resources to support the City's appeal. This matter is urgent as the deadline to appeal the Committee of Adjustment's decision is approaching and the City Solicitor requires instructions to appeal.

Background Information (City Council)

Member Motion MM27.3

(November 26, 2020) Report from the Director, Community Planning, Etobicoke York District on 84 North Drive

(<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-159280.pdf>)