

City Council

Motion without Notice

MM31.51	ACTION			Ward: 18
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79 Florence Avenue - Representation at a Toronto Local Appeal Body hearing - by Councillor John Filion, seconded by Councillor Mike Colle

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 Mike Colle, recommends that:

1. City Council authorize and direct the City Solicitor, and any other appropriate City staff to attend the Toronto Local Appeal Body hearing for 79 Florence Avenue to oppose the requested consent and minor variances set out in Applications A0622/20NY, A0623/20NY and B0046/20NY.
2. City Council authorize the City Solicitor to retain outside consultants as necessary.
3. City Council authorize the City Solicitor to attempt to negotiate a resolution of the appeal and, if a resolution is reached, to settle the appeal at the City Solicitor's discretion, and in consultation with the Ward Councillor and the Chief Planner and Executive Director, City Planning.

Summary

The applicant applied to the Committee of Adjustment (Applications A0622/20NY, A0623/20NY and B0046/20NY) (the "Application") for a consent to sever and for minor variances. The applicant proposes to sever the existing lot, which would result in two equal, undersized residential lots requiring variances to lot frontage and lot area. The Application also requests variances with respect to height of main pedestrian entrance, level of the floor of a platform, height of exterior main wall, building length, side yard setbacks, lot coverage, and building height. City Planning wrote a report recommending refusal of the Application, which is attached to this Motion. At its hearing on February 25, 2021, the Committee of Adjustment refused the Application (the "Decisions"). The Decisions are attached to this Motion.

The applicant has appealed the Decisions to the Toronto Local Appeal Body. This Motion will authorize the City Solicitor, and appropriate City Staff, to attend the Toronto Local Appeal Body in order to oppose the proposed consent and minor variances requested in the Application. This Motion will also give the City Solicitor authority to negotiate a settlement of

the appeal and retain outside consultants as necessary.

Background Information (City Council)

Member Motion MM31.51

(February 11, 2021) Report from the Director, Community Planning, North York District on 79 Florence Avenue

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-165622.pdf>)

Committee of Adjustment North York Panel Notice of Decision on application for Minor Variance/Permission for 79 Florence Avenue - Part 1

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-165623.pdf>)

Committee of Adjustment North York Panel Notice of Decision on application for Minor Variance/Permission for 79 Florence Avenue - Part 2

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-165624.pdf>)

Committee of Adjustment North York Panel Notice of Decision on application for Consent for 79 Florence Avenue

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-165625.pdf>)