

City Council

MM34.10	ACTION			Ward: 15
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1356 Mount Pleasant Road - Request for City Solicitor to Attend at the Toronto Local Appeal Body - Appeal of Committee of Adjustment Decision (A0142/21NY) - by Councillor Jaye Robinson, seconded by Councillor Mike Colle

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

Recommendations

Councillor Jaye Robinson, seconded by Councillor Mike Colle, recommends that:

1. City Council direct the City Solicitor to attend the Toronto Local Appeal Body, with appropriate City staff, in order to oppose minor variance Application A0142/21NY regarding 1356 Mount Pleasant Road, and any other variances and relief that may be requested.
2. City Council authorize the City Solicitor to retain outside consultants as may be necessary in order to oppose the Application.
3. City Council authorize the City Solicitor to attempt to negotiate a resolution regarding the Application, 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, Community Planning, North York District.

Summary

This Motion will give the City Solicitor authority, along with appropriate City Staff, to appeal the Committee of Adjustment's decision approving the minor variance application at 1356 Mount Pleasant Road (Application A0142/21NY) (the "Application") and attend the Toronto Local Appeal Body in order to oppose the Application.

The Application seeks to construct a new detached dwelling. The Application required the Committee of Adjustment's approval of four (4) variances to Zoning By-law 569-2013 and one (1) variance to By-law 438-86.

The variances sought relate to the height of exterior main side walls; floor space index; front yard soft landscaping; side yard setback; and overall building height. Prior to the Committee of Adjustment meeting, the Application originally sought approval of eleven (11) variances.

Planning staff, in its report to the Committee of Adjustment, raised concerns with respect to the Application. Staff expressed concerns regarding the Application's request for variances to the building length; front yard setback; floor space index; front yard landscaping; front yard soft landscaping; rear yard soft landscaping; platform encroachments; amongst other concerns. Some of these variances were eliminated prior to the Committee of Adjustment meeting.

The Committee of Adjustment approved the Application in its decision mailed on May 5, 2021. Subsequently, an appeal of the Decision was received by the Toronto Local Appeal Body.

This Motion will direct the City Solicitor to attend the Toronto Local Appeal Body in order to oppose the Application.

Background Information (City Council)

Member Motion MM34.10

Committee of Adjustment North York Panel Notice of Decision on application for Minor Variance/Permission for 1356 Mount Pleasant Road

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-167432.pdf>)

(April 21, 2021) Report from the Acting Director, Community Planning, North York District on 1356 Mount Pleasant Road

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-167408.pdf>)