

City Council

Motion without Notice

MM34.25	ACTION			Ward: 8
---------	--------	--	--	---------

335 Lytton Boulevard - Request Representation at the Toronto Local Appeal Body - File A0153/21NY - by Councillor Mike Colle, seconded by Councillor Jaye Robinson

** Notice of this Motion has not been given. A two-thirds vote is required to waive notice.*

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

** This Motion has been deemed urgent by the Chair.*

Recommendations

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

1. City Council authorize the City Solicitor and appropriate City staff to attend at the Toronto Local Appeal Body to support and uphold the Committee of Adjustment's decision for the Minor Variances Application A0153/21NY and any other variances that may be requested regarding 335 Lytton Boulevard.
2. City Council authorize the City Solicitor to retain outside consultants as necessary and at the City Solicitor's discretion.
3. City Council authorize the City Solicitor to negotiate a resolution of the appeal of the decision and City Council 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, Community Planning, North District.

Summary

On April 28, 2021 the Committee of Adjustment North York Panel Refused the above application which proposed to construct a new dwelling.

In their report to the Committee, which is attached to this Motion, Community Planning staff recommended that the following variance should be modified:

- Variance No. 5 with respect to the proposed floor space index to a maximum of 0.65 times the area of the lot.
- Should the Committee choose to approve this application, staff recommend the following conditions be attached:
 1. The property be developed substantially in accordance with the site plan and east side elevation drawings submitted to the Committee of Adjustment, attached as Attachments 1 and 2 to this report.

At the Hearing, the applicant's agent refused to reduce the proposed floor space index (Variance No. 5). The Committee members voted unanimously to refuse the application.

The applicant has appealed the Committee of Adjustment Refusal Decision to the Toronto Local Appeal Body. A date for the Hearing has been set as August 31, 2021.

Background Information (City Council)

Member Motion MM34.25

Committee of Adjustment North York Panel Notice of Decision on application for Minor Variance/Permission/Consent for 335 Lytton Boulevard

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-167812.pdf>)

(April 9, 2021) Report from the Director (Acting), Community Planning, North York District on 335 Lytton Boulevard

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-167813.pdf>)