

## City Council

### Motion without Notice

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| MM34.41 | ACTION |  |  | Ward: 16 |
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**62 Norden Crescent - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Deputy Mayor Denzil Minnan-Wong, seconded by Councillor Cynthia Lai**

*\* 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

Deputy Mayor Denzil Minnan-Wong, seconded by Councillor Cynthia Lai, recommends that:

1. City Council authorize the City Solicitor and appropriate City Staff to attend at the Toronto Local Appeal Board hearing to oppose Application A0156/21NY respecting 62 Norden Crescent.
2. City Council authorize the City Solicitor to retain consultants as necessary.
3. City Council authorize the City Solicitor to negotiate a settlement of the appeal of the decision in Application A0156/21NY respecting 62 Norden 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 April 28, 2021, the North York Panel of the Committee of Adjustment (the "Committee") refused an application for a number of variances to facilitate the development of a single detached dwelling at the lands known municipally as 62 Norden Crescent (the "Application"). A copy of the Committee's decision regarding the Application is attached. Specifically, the Application seeks a total of 12 variances including those related to the height, main wall heights, setbacks,

lot coverage, and exterior stair width in order to facilitate the construction of a new single-detached dwelling.

On May 19, 2021, the applicant appealed the Committee's decision to the Toronto Local Appeal Body.

In a report from the Director, Community Planning, North York District dated April 21, 2021, Community Planning Staff noted that they were opposed to the proposed main wall heights as they would create massing and scale impacts to the streetscape similar to that of a flat roof dwelling and therefore would not maintain the intent of the zoning by-law. The report notes that Planning Staff did not have any objections to the other variances, and requested that if approved, the application be subject to a condition that the west side yard setback be developed substantially in accordance with the applicable site plan drawing. A copy of the Planning report is attached.

This Motion would give the City Solicitor and appropriate staff the authority to attend the Ontario Land Tribunal hearing in opposition to the Application and to retain external consultants as necessary. It would also give the City Solicitor authority to settle the matter on behalf of the City in the City Solicitor's discretion after consultation with the Chief Planner and Executive Director, City Planning and the Ward Councillor.

This matter is time sensitive and urgent as the Committee's decision has been appealed and the City Solicitor requires instructions to attend the hearing.

### **Background Information (City Council)**

Member Motion MM34.41

Committee of Adjustment North York Panel Notice of Decision on application for Minor Variance/Permission/Consent for 62 Norden Crescent

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-167928.pdf>)

(April 21, 2021) Report from the Director (Acting), Community Planning, North York District on 62 Norden Crescent

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-167946.pdf>)