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## City Council

### Notice of Motion

MM41.6	ACTION			Ward: 3
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#### **86 Foch Avenue - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Mark Grimes, seconded by Councillor Frances Nunziata**

*\* Notice of this Motion has been given.*

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

*\* This Motion relates to a Toronto Local Appeal Body hearing and has been deemed urgent.*

#### **Recommendations**

Councillor Mark Grimes, seconded by Councillor Frances Nunziata, recommends that:

1. City Council authorize the City Solicitor to negotiate a resolution of the appeal to the Toronto Local Appeal Body of 86 Foch Avenue (Committee of Adjustment Application Number A0112/21EYK) 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 seeking permission to construct a new detached dwelling with an attached garage at 86 Foch Avenue (Application Number A0112/21EYK).

In particular, the applicant seeks variances from City-wide Zoning By-law 569-2013 and Etobicoke Zoning By-law 1979-67, including variances for lot coverage, gross floor area, front yard setback, rear yard setback, window projection, basement grade, and dwelling height.

On August 26, 2021, the Etobicoke York District Panel of the Committee of Adjustment refused to grant the requested variances. The applicant has appealed the refusal to the Toronto Local Appeal Body.

City Council adopted Agenda Item MM38.12 on December 15, 16, and 17, 2021 (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.MM38.12>) in respect of the appeal of the application to the Toronto Local Appeal Body and directed the City Solicitor and any other appropriate staff to attend at the Toronto Local Appeal Body to uphold the Committee of Adjustment's refusal. Council also authorized the City Solicitor to retain outside consultants as necessary.

A Toronto Local Appeal Body hearing took place on February 14, 2022. An additional hearing date has been scheduled for April 28, 2022.

This Motion will authorize the City Solicitor to negotiate a resolution to the appeal, as necessary, in addition to the directions in Council Agenda Item MM38.12.

**Background Information (City Council)**

Member Motion MM41.6