

City Council

Motion without Notice

MM3.21	ACTION			Ward: 12
--------	--------	--	--	----------

68 Alcorn Avenue - Request for City Solicitor to Appeal and Attend at the Toronto Local Appeal Body - by Councillor Josh Matlow, 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 Josh Matlow, seconded by Councillor Mike Colle, recommends that:

1. City Council instruct the City Solicitor and appropriate City Staff to appeal the Committee of Adjustment decision in Application No. A0787/22TEY respecting 68 Alcorn Avenue to the Toronto Local Appeal Body and to attend at the hearing at the Toronto Local Appeal Body to oppose the application.
2. City Council authorize the City Solicitor to negotiate a settlement of the appeal of the decision in Application No. A0787/22TEY respecting 68 Alcorn Avenue and authorize the City Solicitor to settle the matter on behalf of the City at her discretion after consultation with the Ward Councillor and with the Director of Community Planning, Toronto and East York District.

Summary

On January 18, 2023, the Toronto and East York Panel of the Committee of Adjustment (the "Committee") approved an application brought by the owner of 68 Alcorn Avenue for three minor variances, including soft landscaping requirements and setbacks, to permit an existing rear deck in the subject property (the "Application"). A copy of the Committee's decision is attached.

In a report from the Director, Community Planning, Toronto and East York District dated January 10, 2023, Community Planning Staff recommended the application be refused. A copy of the Planning report is attached. Community Planning Staff opined that a reduced density would be more in line with the intent of the Zoning By-law and Official Plan.

This Motion will instruct the City Solicitor to appeal the Committee's decision and instruct the City Solicitor and appropriate City Staff to attend the Toronto Local Appeal Body to oppose the application. This Motion will give the City Solicitor the authority to negotiate a settlement of the appeal.

This matter is time sensitive and urgent as the Planning Act imposes a statutory deadline to appeal a Committee decision and the City Solicitor requires instructions to appeal and attend

the hearing.

Background Information (City Council)

Member Motion MM3.21

Attachment 1: Notice of Decision of the Committee of Adjustment

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-234344.pdf>)

Attachment 2: Planning Staff Report to the Committee of Adjustment

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-234345.pdf>)