

City Council

MM13.28	ACTION			Ward: 15
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19 Forest Glen Crescent - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Jaye Robinson, 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 Jaye Robinson, seconded by Councillor Mike Colle, recommends that:

1. City Council authorize the City Solicitor to both appeal and attend the Toronto Local Appeal Body as a party, with appropriate City staff, in order to oppose the Committee of Adjustment’s decision regarding the proposed development at 19 Forest Glen Crescent (Application No. A0579/23NY).
2. City Council authorize the City Solicitor to retain outside consultants as necessary.
3. City Council authorize the City Solicitor to attempt to negotiate a resolution regarding Application A0579/23NY respecting 19 Forest Glen Crescent and City Council authorize the City Solicitor to resolve the matter on behalf of the City, at the City Solicitor's discretion, after consultation with the Ward Councillor and the Director, Community Planning, North York District.

Summary

The applicant applied to the Committee of Adjustment requesting variances from Zoning By-law 569-2013 (Application Number A0579/23NY), including variances to front yard setback, maximum driveway width, rear yard setback, front yard landscaping area, front yard soft landscaping area, lot coverage, and canopy encroachment, to construct a new detached dwelling at 19 Forest Glen Crescent.

In its report dated November 30, 2023, Community Planning Staff noted concerns with the variances relating to the proposed reduction in front yard setback and the proposed increase in lot coverage. Staff recommended that the variances relating to front yard setback and lot coverage be refused, should the Committee of Adjustment approve the Application. A copy of the Planning Staff Report is attached.

On December 7, 2023, the North York Panel of the Committee of Adjustment approved a revised front yard setback variance and revised lot coverage variance for the property, with conditions of forestry.

This Motion will authorize and direct the City Solicitor to appeal and to attend the Toronto Local Appeal Body, along with appropriate City staff, in order to oppose the Committee of Adjustment's decision. This Motion will also authorize the City Solicitor to resolve the matter on behalf of the City in her discretion.

This matter is time sensitive and urgent as the deadline to appeal the Decision to the Toronto Local Appeal Body in order to preserve the City's statutory right is December 27, 2023, and the City Solicitor requires instructions to appeal and attend the hearing for this matter.

Background Information

Member Motion MM13.28

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-241593.pdf>)

Attachment 1: Planning Staff Report to the Committee of Adjustment

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-241594.pdf>)