

City Council

Motion Without Notice

MM18.31	ACTION			Ward: 3
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29 Lake Promenade - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Amber Morley, seconded by Councillor Chris Moise

** 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 Amber Morley, seconded by Councillor Chris Moise, recommends that:

1. City Council authorize the City Solicitor to attend the Toronto Local Appeal Body to uphold the Committee of Adjustment's refusal of Application A0347/23EYK respecting 29 Lake Promenade.
2. City Council authorize the City Solicitor to retain outside consultants as necessary.
3. City Council authorize the City Solicitor to attempt negotiating a resolution regarding Application A0347/23EYK respecting 29 Lake Promenade, and that the City Solicitor be authorized to resolve the matter on behalf of the City, in the City Solicitor's discretion, after consulting with the Ward Councillor and the Director, Etobicoke York District Community Planning.

Summary

On December 7, 2023, the Committee of Adjustment (the "Committee") refused an application brought by the owner of 29 Lake Promenade for variances to City of Toronto Zoning By-law 569-2013 to legalize and to maintain a new detached dwelling with an attached garage (the "Application"). A copy of the Committee's decision is attached as Attachment 1.

On December 21, 2023, the owner appealed the Committee's Application refusal to the Toronto Local Appeal Body.

The Application presents outstanding concerns including, but not limited to, excessive massing and height, and insufficient landscaping.

The Toronto Local Appeal Body hearing was scheduled to commence on April 22, 2024. This hearing has been adjourned and a new hearing date is expected to be scheduled imminently — as such this motion is urgent. The original Notice of Hearing is attached as Attachment 2 and the Interim Decision adjourning the original hearing date is attached as Attachment 3.

This motion will authorize the City Solicitor to seek party status and if successful to attend the Toronto Local Appeal Body hearing along with appropriate City staff to oppose the appeal. This motion also authorizes the City Solicitor to negotiate a settlement of the appeal and retain outside consultants as necessary.

Background Information

Attachment 1: Notice of Decision of the Committee of Adjustment regarding Application A0347/23EYK dated December 7, 2023

Attachment 2: Notice of Hearing

Attachment 3: Interim Decision dated April 3, 2024

Background Information (City Council)

Member Motion MM18.X

Attachment 1: Notice of Decision of the Committee of Adjustment regarding Application A0347/23EYK dated December 7, 2023

(<https://www.toronto.ca/legdocs/mmis/2024/mm/bgrd/backgroundfile-245982.pdf>)

Attachment 2: Notice of Hearing

(<https://www.toronto.ca/legdocs/mmis/2024/mm/bgrd/backgroundfile-245966.pdf>)

Attachment 3: Interim Decision dated April 3, 2024

(<https://www.toronto.ca/legdocs/mmis/2024/mm/bgrd/backgroundfile-245967.pdf>)