

City Council

Notice of Motion

MM23.2	ACTION			Ward: 18
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75 Glendora Avenue - Request for the City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Lily Cheng, seconded by Councillor James Pasternak

** Notice of this Motion has been given.*

** This Motion is subject to referral to the North 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 Lily Cheng, seconded by Councillor James Pasternak, recommends that:

1. City Council direct the City Solicitor to attend the Toronto Local Appeal Body in support of the Committee of Adjustment's decisions regarding Applications B0023/24NY, A0271/24NY and A0272/24NY, with appropriate City staff, in order to oppose the consent to sever and minor variances requested in Applications B0023/24NY, A0271/24NY and A0272/24NY regarding 75 Glendora Avenue.
2. City Council authorize the City Solicitor to negotiate a settlement of the appeal of the decisions regarding Applications B0023/24NY, A0271/24NY and A0272/24NY respecting 75 Glendora 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 the Director, Community Planning, North York District.

Summary

This Motion will give the City Solicitor authority, along with appropriate City Staff, to attend at the Toronto Local Appeal Body in support of the Committee of Adjustment's decisions refusing the consent to sever and minor variance applications at 75 Glendora Avenue (Applications B0023/24NY, A0271/24NY and A0272/24NY), in order to oppose the Applications.

The Applications seek a consent to sever the property at 75 Glendora Avenue into two residential lots and construct two new dwellings. Application B0023/24NY relates to a request for consent to sever the property into two residential lots. Applications A0271/24NY and A0272/24NY propose to construct a new dwelling on each of the newly created lots. The variance Applications require a total of 11 variances to the provisions of City-wide Zoning By-law 569-2013 for each of the two proposed new dwellings. The variances relate to maximum lot coverage, maximum number of storeys, maximum height, maximum height of all side exterior main walls facing a side lot line, minimum required side yard setback, minimum lot area, minimum lot frontage, minimum side yard setback and the maximum area of each platform at or above the second storey of a detached house.

In a report from the Director, Community Planning, North York District, dated July 20, 2024, Community Planning Staff raised concerns with respect to the Applications and recommended that the Applications for consent to sever and variances be refused. A copy of the Planning Report is attached. Planning Staff raised concerns with the Applications and opined that the proposed development represents overdevelopment with inappropriate massing and height, resulting from a lot that is small to accommodate such a building. Planning Staff opined that this leads to a building that is inconsistent with the physical character and scale of the surrounding area.

On August 15, 2024, the Committee of Adjustment issued: (i) a decision relating to Application B0023/24NY refusing the consent to sever application, finding that the proposed severance did not satisfy the requirements of section 51(24) of the Planning Act, and (ii) decisions to not approve the minor variance applications for Applications A0271/24NY and A0272/24NY, respectively, finding that the proposed variances do not maintain the general intent and purpose of the Official Plan and Zoning By-Law, are not considered desirable for the appropriate development of the land and are not minor. The decisions are attached. This Motion will direct the City Solicitor to attend the Toronto Local Appeal Body in order to oppose the Applications.

Background Information (City Council)

Member Motion MM23.2

Attachment 1 - Notice of Decision of the Committee of Adjustment regarding Application No. B0023/24NY

(<https://www.toronto.ca/legdocs/mmis/2024/mm/bgrd/backgroundfile-249809.pdf>)

Attachment 2 - Notice of Decision of the Committee of Adjustment regarding Application No. A0271/24NY

(<https://www.toronto.ca/legdocs/mmis/2024/mm/bgrd/backgroundfile-249811.pdf>)

Attachment 3 - Notice of Decision of the Committee of Adjustment regarding Application No. A0272/24NY

(<https://www.toronto.ca/legdocs/mmis/2024/mm/bgrd/backgroundfile-249812.pdf>)

Attachment 4 - Planning Staff Report to the Committee of Adjustment

(<https://www.toronto.ca/legdocs/mmis/2024/mm/bgrd/backgroundfile-249813.pdf>)