

579 Glencairn Avenue – Appeal of TLAB Decision

Date: June 8, 2025

To: City Council

From: City Solicitor

Wards: Ward 8 – Eglinton-Lawrence

REASON FOR CONFIDENTIAL INFORMATION

This report is about litigation or potential litigation that affects the City or one of its agencies or corporations.

This report contains advice or communications that are subject to solicitor-client privilege.

SUMMARY

On May 23, 2025, the Toronto Local Appeal Body (the “TLAB”) issued a decision approving a consent to sever and several minor variances pursuant to section 53 and section 45 of the *Planning Act* for the property at 579 Glencairn Avenue. The TLAB allows the parties to a hearing to seek a review of a decision of the TLAB. The *Planning Act* and *City of Toronto Act* allow the parties to a hearing to seek leave to appeal a TLAB decision to the Divisional Court. The City Solicitor requires further directions.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the confidential instructions to staff in Confidential Attachment 1 to the Report dated June 8, 2025 from the City Solicitor.
2. If adopted, City Council authorize the public release of Confidential Recommendation Number 1 in the Confidential Attachment 1 to the Report from the City Solicitor and direct that all other information in Confidential Attachment 1 remain confidential as it contains advice which is subject to solicitor-client privilege.

FINANCIAL IMPACT

The financial implications are set out in Confidential Attachment 1.

DECISION HISTORY

City Council's decision to attend TLAB to respond to this matter is found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2024.MM24.25>

The TLAB's May 23, 2025 decision is found here:

<https://www.canlii.org/en/on/ontlab/doc/2025/2025ontlab334/2025ontlab334.html?resultId=6da78fedf8be46e88cab79ae87c8758&searchId=2025-06-06T17:23:28:496/53d55db4b7e74b978f6fee158f6607f2>

Further details may be found here:

<https://www.toronto.ca/city-government/planning-development/application-details/?id=5548621&pid=362291&title=579-GLENCAIRN-AVE>

COMMENTS

On June 5, 2024, the Applicant made three applications to the Committee of Adjustment (the "Committee"). The three applications were: i) an application to sever the lot ii) an application for minor variances to the Zoning By-law to reduce the required lot coverage, reduce the required lot frontage, reduce a front porch side yard setback, reduced the west side yard set back, and reduce the east side yard setback to construct a detached dwelling; and iii) an application for minor variances to the Zoning By-law to reduce the required lot coverage, reduce the required lot frontage, reduce a front porch side yard setback, reduced the west side yard set back, and reduce the east side yard setback to construct a second detached dwelling.

On November 14, 2024, the Committee refused all three applications in their entirety.

On November 25, 2024, the Applicant appealed the Committee's decisions to the Toronto Local Appeal Body.

On February 5, 2024, the Applicant filed revised architectural plans to the TLAB. The revised plans converted each dwelling into a duplex, along with some design changes. These changes and duplex designation reduced the variances requested to five. The revised plans did not change the consent to sever.

By its Decision and Order of May 23, 2025 (the “Decision”), the TLAB approved the applications.


The attached Confidential Attachment 1 from the City Solicitor provides legal advice and seeks direction from City Council with respect to the Decision.

CONTACT

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SIGNATURE

Wendy Walberg 

City Solicitor

ATTACHMENTS

Confidential Attachment 1 – Confidential Information