

**City Council****Motion without Notice**

<b>MM28.45</b>	<b>ACTION</b>			Ward: 15
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**23 Beechwood Avenue - Appeal of Committee of Adjustment Decision - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Rachel Chernos Lin, seconded by Councillor Mike Colle**

*\* Notice of this Motion has not been given. A two-thirds vote is required to waive notice.  
\* This Motion is subject to referral to the North York Community Council. A two-thirds vote is required to waive referral.  
\* This Motion has been deemed urgent by the Chair.*

**Recommendations**

Councillor Rachel Chernos Lin, seconded by Councillor Mike Colle, recommends that:

1. City Council direct the City Solicitor to appeal the Committee of Adjustment's decision pertaining to 23 Beechwood Avenue (Application A0426/24NY) and to attend the Toronto Local Appeal Body, with appropriate City staff.
2. City Council authorize the City Solicitor to negotiate a settlement of the appeal of the decision in Application A0426/24NY respecting 23 Beechwood Avenue and authorize the City Solicitor to settle the matter on behalf of the City at their discretion after consultation with the Ward Councillor and the Director, Community Planning, North York District.

**Summary**

This Motion will give the City Solicitor authority to appeal the Committee of Adjustment's decision approving the minor variance application for 23 Beechwood Avenue (Application A0426/24NY) (the "Application") and to attend the Toronto Local Appeal Body, along with appropriate City Staff, to oppose the Application.

The Applicant is the owner of the lands municipally known as 23 Beechwood Avenue in the City of Toronto. On August 19, 2024, the Applicant applied to the Committee for variances to the City-wide Zoning By-law 569-2013 (the "Application"), seeking increases to the permitted maximum building length, building depth, building height, main wall height, platform height and projection, and first floor height, as well as a decrease to the TRCA shoreline distance limit.

In a report from the Director of Community Planning, North York District dated February 27, 2025, Community Planning Staff raised concerns with respect to the Application and recommended that the Application be refused. A copy of the Planning Report is attached as Attachment 1. Of primary concern to Community Planning Staff were the proposed building length and depth which were almost double what is permitted by the Zoning By-Law. In particular, Community Planning Staff opined that the proposed building length and depth

would result in excessive massing of the dwelling that does not fit the character of the neighbourhood.

On March 6, 2025, the Committee heard the Application and issued a decision approving the Application, subject to conditions (the “Decision”). The Decision was issued on March 13, 2025. A copy of the Notice of Decision of the Committee of Adjustment is attached as Attachment 2.

In order to preserve the City's right of appeal, the City Solicitor appealed the Committee of Adjustment’s Decision to the Toronto Local Appeal Body on March 21, 2025.

This matter is time sensitive and urgent as the City Solicitor has already appealed the Decision to the Toronto Local Appeal Body in order to preserve the City’s statutory right and requires instructions to appeal and attend the hearing for this matter.

### **Background Information (City Council)**

Member Motion MM28.45

Attachment 1: Planning Staff Report dated February 27, 2025

(<https://www.toronto.ca/legdocs/mmis/2025/mm/bgrd/backgroundfile-253975.pdf>)

Attachment 2: Notice of Decision of the Committee of Adjustment dated March 13, 2025

(<https://www.toronto.ca/legdocs/mmis/2025/mm/bgrd/backgroundfile-253976.pdf>)