

## City Council

### Motion without Notice

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| MM28.49 | ACTION |  |  | Ward: 5 |
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**55 Lonborough Avenue - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Frances Nunziata, seconded by Councillor Paula Fletcher**

*\* 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 Frances Nunziata, seconded by Councillor Paula Fletcher, recommends that:

1. City Council direct the City Solicitor to attend the Toronto Local Appeal Body as a party, with appropriate City staff, in order to oppose the appeal of the Committee of Adjustment's decision regarding 55 Lonborough Avenue (Application A0004/25EYK).
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 of the appeal regarding 55 Lonborough Avenue (Application A0004/25EYK), and City Council authorize the City Solicitor to settle the matter on behalf of the City, at the City Solicitor's discretion, after consultation with the Ward Councillor and the Director of Community Planning, Etobicoke York District.

### Summary

The applicant applied to the Committee of Adjustment requesting variances from City-wide Zoning By-law 569-2013 relating to side yard setbacks, platform encroachment, soft landscaping, and angular plane requirements in order to construct a new fourplex dwelling and a garden suite in the rear yard at 55 Lonborough Avenue (Application A0004/25EYK) (the "Application").

Urban Forestry provided a report to the Committee of Adjustment recommending the imposition of a condition in the event the Committee of Adjustment approved the Application. Community Planning did not submit a Staff Report on this matter.

On March 6, 2025, the Etobicoke York District Panel of the Committee of Adjustment refused the Application (the "Decision"). A copy of the Notice of Decision of the Committee of Adjustment is attached as Attachment 1. The applicant has appealed the refusal to the Toronto Local Appeal Body (the "Appeal").

This motion will give the City Solicitor authority to attend the Toronto Local Appeal Body, with appropriate City Staff, in order to oppose the appeal of the Committee of Adjustment's decision to refuse the minor variance application at 55 Lonborough Avenue and to retain outside consultants as necessary. This motion will also 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 of Community Planning, Etobicoke York District.

This matter is time sensitive and urgent as the City Solicitor requires instructions to obtain party status in the appeal and subsequently attend the Toronto Local Appeal Body hearing which can be scheduled at any time.

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

Member Motion MM28.49

Attachment 1: Notice of Decision of the Committee of Adjustment regarding Application No. A0004/25EYK dated March 6, 2025

(<https://www.toronto.ca/legdocs/mmis/2025/mm/bgrd/backgroundfile-254069.pdf>)