

City Council

Motion without Notice

MM30.22	ACTION			Ward: 15
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53 Snowdon Avenue - 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 seek party status at the Toronto Local Appeal Body, and to attend the Toronto Local Appeal Body hearing, with appropriate City staff, in order to support the Committee of Adjustment's decision to refuse the Minor Variance application requested in Application A0098/25NY, respecting 53 Snowdon Avenue.
2. City Council authorize the City Solicitor to attempt to negotiate a resolution of the Appeal of the decision in Application A0098/25NY respecting 53 Snowdon Avenue and to resolve the matter on behalf of the City at the City Solicitor's discretion in consultation with the Ward Councillor and the Director of Community Planning, North York District.

Summary

The applicant applied to the Committee of Adjustment to construct a new three storey detached dwelling and requested multiple variances from City-wide Zoning By-law 569-2013 (Application A0098/25NY), including variances to the front exterior main wall height, floor space index, and west side yard setback.

On April 17, 2025, North York District Panel of the Committee of Adjustment refused to grant the requested minor variances. A copy of the Committee's decision is attached as Attachment 1. The applicant has appealed the refusal to the Toronto Local Appeal Body.

In its report dated April 10, 2025, City Planning Staff opined that the requested variances were not consistent with the physical character of the neighbourhood, would not be consistent with the pattern of development in the neighbourhood, are not in keeping with the intent of the Zoning By-law or the Official Plan, and are not minor in nature. As a result, City Planning Staff recommended that the minor variance application be refused. The Staff Report is attached as Attachment 2.

This motion will authorize and direct the City Solicitor to attend the Toronto Local Appeal Body, along with appropriate City staff, in order to oppose the Appeal. This Motion will also authorize the City Solicitor to resolve the matter on behalf of the City in her discretion.

This motion is time sensitive and urgent as the City Solicitor requires instructions to obtain party status in the Appeal and subsequently attend the hearing in opposition to the Appeal.

Background Information (City Council)

Member Motion MM30.22

Attachment 1 - Notice of Decision of the Committee of Adjustment dated April 17, 2025
(<https://www.toronto.ca/legdocs/mmis/2025/mm/bgrd/backgroundfile-255434.pdf>)

Attachment 2 - Planning Staff Report dated April 10, 2025
(<https://www.toronto.ca/legdocs/mmis/2025/mm/bgrd/backgroundfile-255435.pdf>)