

## City Council

### Motion without Notice

MM30.33	ACTION			Ward: 15
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**521 Davisville Avenue - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Rachel Chernos Lin, seconded by Councillor Josh Matlow**

*\* 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. to the agenda and is before Council for debate.*

### Recommendations

Councillor Rachel Chernos Lin, seconded by Councillor Josh Matlow, 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 521 Davisville Avenue (Application A0560/23NY).
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 521 Davisville Avenue (Application A0560/23NY), 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, North York District.

### Summary

The applicant applied to the Committee of Adjustment requesting variances from City-wide Zoning By-law 569-2013 relating to rear porch side yard setback, side yard setback for the rear canopy, platforms at or above the second story of a detached house, side yard setback of a platform, side yard setback, building depth, height of side exterior main walls facing a side lot line, side yard setback and maximum height for an ancillary building containing a laneway suite and soft landscaping in order to construct a new dwelling and a laneway suite in the rear yard at 521 Davisville Avenue (Application A0560/23NY).

Urban Forestry and Community Planning provided reports to the Committee of Adjustment recommending the imposition of conditions in the event the Committee of Adjustment approved the Application. Community Planning staff also recommended modifications be made to the application that were agreed upon by the applicant.

On February 20, 2025, the North York District Panel of the Committee of Adjustment refused the Application. 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.

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 521 Davisville 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, North 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 Motions MM30.33

Attachment 1 - Notice of Decision of the Committee of Adjustment regarding Application A0560/23NY dated February 20, 2025

(<https://www.toronto.ca/legdocs/mmis/2025/mm/bgrd/backgroundfile-255626.pdf>)