



## MOTION WITHOUT NOTICE

### 226 Olive Avenue - Request for City Solicitor to Attend at the Toronto Local Appeal Body

**Moved by:** Councillor Lily Cheng

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**Seconded by:** Councillor James Pasternak

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#### SUMMARY:

This motion will give the City Solicitor the authority to appeal the Committee of Adjustment's decision approving the minor variance application at 226 Olive Avenue (Application No. A0189/25NY) (the "**Application**"); to attend the Toronto Local Appeal Body to oppose the development in the Application; to retain outside consultants as necessary; and to negotiate a resolution of the appeal.

On April 25, 2025, the applicant applied to the Committee of Adjustment for variances to the City-wide Zoning By-law 569-2013. The Application sought approval to construct a new three-storey fourplex dwelling with two parking spaces, along with a new ancillary building (garden suite) at the rear of the property.

In a report dated June 2, 2025, City planning staff requested six (6) modifications be made to the Application (the Staff Report is attached as Attachment 1). The Committee of Adjustment hearing date initially scheduled for June 12, 2025 was deferred at the request of the applicant in order to make the requested changes.

On September 11, 2025, the North York District Panel of the Committee of Adjustment approved the Application, subject to two conditions (the "**Decision**"). A copy of the Notice of Decision of the Committee of Adjustment is attached as Attachment 2. In spite of the changes to the Application, many residents of Willowdale have voiced concerns with the development including but not limited to character, density, and parking.

This matter is time sensitive and urgent as the City Solicitor appealed the Decision to the Toronto Local Appeal Body on September 30, 2025 in order to preserve the City's statutory rights, and requires instruction to maintain the appeal and attend the hearing for this matter.

#### RECOMMENDATIONS:

1. City Council direct the City Solicitor to appeal the Committee of Adjustment's decision regarding 226 Olive Avenue (Application No. A0189/25NY) and to attend the Toronto Local Appeal Body in order to oppose the development proposed in application A0189/25NY.
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 (Application No. A0189/25NY), and City Council 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.

**BACKGROUND INFORMATION:**

Attachment 1: City Staff Report regarding Application No. A0189/25NY dated June 2, 2025

Attachment 2: Notice of Decision of the Committee of Adjustment regarding Application No. A0189/25NY dated September 11, 2025

Date: October 8, 2025