

## NOTICE OF MOTION

### 99 Patricia Avenue – Request for City Solicitor to Attend at the Toronto Local Appeal Body

Moved by: Councillor Lily Cheng \_\_\_\_\_

Seconded by: Councillor James Pasternak \_\_\_\_\_

#### SUMMARY:

This motion will give the City Solicitor the authority to appeal the Committee of Adjustment's decision approving the minor variance application at 96 Patricia Avenue (Application No. A0046/26NY) (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 January 29, 2026, 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 detached fourplex dwelling with a rear exterior stairwell, and also to construct a new two-storey garden suite.

The applicant initially sought twelve variances but seven were withdrawn. In a report dated March 3, 2026, Community Planning staff recommended that two variances regarding the height of the detached houseplex and the height of the main walls be refused, or alternatively in the event that the Committee approve the application the report recommended modifications (the Staff Report is attached as Attachment 1).

On March 5, 2026, the North York District Panel of the Committee of Adjustment approved the Application including the two variances that staff recommended refusal of. A copy of the Decision of the Committee of Adjustment is attached as Attachment 2.

The deadline for submitting an appeal is March 25, 2026. The intention is for the appeal to be filed by the City Solicitor pending adoption of this motion by City Council to preserve the City's statutory rights. The City Solicitor requires instruction to maintain the appeal and attend a hearing for this matter.

#### RECOMMENDATIONS:

1. City Council direct the City Solicitor to appeal the Committee of Adjustment's decision regarding 99 Patricia Avenue (Application No. A0046/26NY) and to attend the Toronto Local Appeal Body in order to oppose the development proposed in application A0046/26NY.

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. A0046/26NY), 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. A0046/26NY dated March 3, 2026

Attachment 2: Notice of Decision of the Committee of Adjustment regarding Application No. A0046/26NY dated March 5, 2026

Date: March 25-27, 2026