

MOTION WITHOUT NOTICE

221 Donlea Drive – Request for City Solicitor to Attend at the Toronto Local Appeal Body

Moved by: Councillor Chernos Lin

Seconded by: Councillor Josh Matlow

SUMMARY:

This motion will authorize and direct the City Solicitor to attend the Toronto Local Appeal Body, along with appropriate City staff, to oppose an appeal of the Committee of Adjustment's decision to refuse Application No. A0029/26NY.

In January 2026, the applicant applied to the Committee of Adjustment for variances to the City-wide Zoning By-law 569-2013 in order to allow the construction of a three-storey fourplex with a garden suite in the rear yard (the "Application").

The applicant initially sought ten variances, two relating to the fourplex proposal and eight relating to the garden suite proposal. Following discussion with Community Planning staff, four variances were subsequently withdrawn and three were modified. These changes to the Application were listed in the report dated February 26, 2026 from Community Planning staff (the Staff Report is attached as Attachment 1). The Staff Report recommended that, should the Committee choose to approve the application, approval be made subject to the modifications outlined in the Recommendations section of the report.

On March 5, 2026, the North York District Panel of the Committee of Adjustment refused the Application, as modified. A copy of the Decision of the Committee of Adjustment is attached as Attachment 2. The applicant has appealed the refusal to the Toronto Local Appeal Body (the "Appeal") through their Notice of Appeal dated March 16, 2026. A copy of the Notice of Appeal is attached as Attachment 3.

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.

RECOMMENDATIONS:

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 Application A0029/26NY.
2. City Council authorize the City Solicitor to attempt to negotiate a resolution of the Appeal of the decision in Application (Application A0029/26NY), respecting 221 Donlea Drive 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.

BACKGROUND INFORMATION:

Attachment 1: City Staff Report regarding Application No. A0029/26NY dated February 26, 2026

Attachment 2: Notice of Decision of the Committee of Adjustment regarding Application No. A0029/26NY dated March 5, 2026

Attachment 3: Notice of Appeal dated March 16, 2026

Date: 25 March, 2026