

January 14, 2008

To the Chair and Members of Scarborough Community Council

Re: 4 Lovering Road

An Application for consent and minor variance with respect to the property known as 4 Lovering Road was heard by the Committee of Adjustment on February 14, 2007 to maintain the existing driveway and permit vehicles to park on a 1.32 metre (4.3 feet) wide portion that leads to the main front wall of the dwelling.

The applicant wanted to park their vehicles in the street yard on a portion of the driveway not leading directly to the required parking space, contrary to the Zoning By-law that permits vehicles to only be parked in a street yard on that portion of the driveway leading to the parking space required by the By-law.

On February 14, 2007, the Committee of Adjustment refused this variance application with respect to the request of the applicant to be permitted to park vehicles in the street yard on a portion of the driveway not leading directly to the required parking space. The owner then appealed this Committee's decision to the Ontario Municipal Board.

At the March 27, 2007, Scarborough Community Council Meeting I moved a motion that was passed by the Community Council asking that:

Scarborough Community Council recommends that City Council authorize the City Solicitor and, if necessary, outside planners, to appear at the Ontario Municipal Board to support the position of the Committee of Adjustment's refusal of the request to permit vehicles to park in the street yard on a portion of the driveway not leading directly to the required parking space at 4 Lovering Road.

On July 12, 2007, the Ontario Municipal Board rendered a Decision/Order No. 1960 that supported the earlier ruling made by the Committee of Adjustment and dismissed the appeal request from the applicant.

In a memorandum from Allen Appleby dated January 9, 2008 to the Chair and Members of Scarborough Community Council, the owners at 4 Lovering Road have appealed Decision/Order No. 1960 to the Superior Court of Justice Divisional Court. A hearing date has not been scheduled for this appeal.

Page 2
4 Lovering Road

The owners at 4 Lovering have tried twice to change the Committee of Adjustment's ruling with no success and are now attempting a third appeal. I would ask the members of Scarborough Community Council to pass a motion at the January 15, 2008 Meeting requesting:

Scarborough Community Council recommends that City Council authorize the City Solicitor and, if necessary, outside planners, to appear at the Superior Court of Justice Divisional Court to support the position of the Committee of Adjustment's refusal and the Ontario Municipal Board Decision/Order No. 1960 of the request to permit vehicles to park in the street yard on a portion of the driveway not leading directly to the required parking space at 4 Lovering Road.

Sincerely,

Mike Del Grande
Councillor Ward 39
Scarborough-Agincourt
City of Toronto

Cc: Councillor Norman Kelly, Chair of Scarborough Community Council

Encl.: Notice of Decision, from the Committee of Adjustment dated February 14, 2007
Decision/Order No. 1960 dated July 12, 2007 from the Ontario Municipal Board
Memorandum from Allen Appleby dated January 9, 2008