

## City Council

### Motion without Notice

MM44.89	ACTION			Ward:All
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**Process to allow City staff to recommend representation at a Toronto Local Appeal Body Hearing in opposition to an application where such action is warranted and would otherwise not occur - by Councillor John Filion, 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.*

### Recommendations

Councillor John Filion, seconded by Councillor Josh Matlow, recommends that:

1. City Council direct the City Solicitor and the Chief Planner and Executive Director, City Planning to report to City Council seeking direction with respect to Committee of Adjustment decisions or appeals in circumstances where the City would otherwise be unrepresented at an appeal Hearing and a decision in favour of the application would be the likely outcome; applicable circumstances would be those in which staff are of the opinion that the Official Plan and/or Zoning By-laws would be significantly compromised resulting in a significant adverse planning impact, or an adverse precedent set, by the City's inability to participate at the Hearing.

### Summary

In cases where City staff prepare a report to the Committee of Adjustment recommending either refusal of, or conditions of approval for, an application before the Committee of Adjustment and the resulting Committee of Adjustment decision is approved or refused and subsequently appealed to the Toronto Local Appeal Body, the City Solicitor (with limited exceptions) only receives City Council instructions to attend the Toronto Local Appeal Body, in support of the Committee's decision and/or City staff position by way of a Motion introduced to City Council by the respective Ward Councillor. Where the Ward Councillor is not otherwise inclined to introduce such a Motion, it would be appropriate for City Council to be advised of the situation as City Council should be the decision making body to determine whether City representation at the Toronto Local Appeal Body hearing in support of the City Planning position is warranted.

### Background Information (City Council)

Member Motion MM44.89

