

City Council**Motion without Notice**

MM9.55	ACTION			Ward: 18
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Representation at a Toronto Local Appeal Body Hearing for 38 Lorraine Drive - by Councillor John Filion, seconded by Councillor Gord Perks

** 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 Gord Perks, recommends that:

1. City Council authorize and direct the City Solicitor, and any other appropriate City staff to attend the Toronto Local Appeal Body hearing for 38 Lorraine Drive to uphold the Committee of Adjustment's refusal of the minor variances requested through Application A0168/19NY.
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 and, if a resolution is reached, to settle the appeal at the City Solicitor's discretion, and in consultation with the Ward Councillor and the Chief Planner and Executive Director, City Planning.

Summary

The applicant applied to the Committee of Adjustment (Application A0168/19NY) (the "Application") to legalize and maintain a driveway at 38 Lorraine Drive. The Application requests variances with respect to driveway width. In their reports, both Planning and Transportation Services recommended that the application be refused. At its hearing on May 8, 2019, the Committee of Adjustment refused the Application (the "Decision"). The Notice of Decision, Planning staff report and Transportation memo are attached.

The applicant has appealed the Decision to the Toronto Local Appeal Body. This Motion will authorize the City Solicitor, and appropriate City Staff, to attend the Toronto Local Appeal Body in order to oppose the proposed consent and minor variances requested in the Application. This Motion will also give the City Solicitor authority to negotiate a settlement of the appeal and retain outside consultants, as necessary.

Background Information (City Council)

Member Motion MM9.55

Committee of Adjustment, North York Panel Notice of Decision on Minor
Variance/Permission for 38 Lorraine Drive

<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-136122.pdf>

(April 30, 2019) Report from the Director, Community Planning, North York District on
Representation at a Toronto Local Appeal Body hearing for 38 Lorraine Drive

<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-136125.pdf>

Transportation Memo dated April 26, 2019

<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-136126.pdf>