

City Council**Motion Without Notice**

MM23.22	ACTION			Ward: 21
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47 White Abbey Park - Request for City Solicitor to Attend at the Toronto Local Appeal Body on Appeal of Committee of Adjustment Decision (A0011/20SC) - by Councillor Michael Thompson, seconded by Councillor Cynthia Lai

** Notice of this Motion has not been given. A two-thirds vote is required to waive notice.
* This Motion is subject to referral to the Scarborough Community Council. A two-thirds vote is required to waive referral.
* This Motion relates to a Toronto Local Appeal Body Hearing and has been deemed urgent.*

Recommendations

Councillor Michael Thompson, seconded by Councillor Cynthia Lai, recommends that:

1. City Council direct the City Solicitor to attend the Toronto Local Appeal Body, with appropriate City staff, in order to oppose the Appeal of the Committee of Adjustment's decision to refuse the minor variances requested in Application A0011/20SC, and any other variances that may be requested, regarding 47 White Abbey Park.
2. City Council authorize the City Solicitor to retain such outside consultants as may be necessary to oppose the Appeal.
3. City Council authorize the City Solicitor to attempt to negotiate a resolution regarding the Appeal, and City Council authorize the City Solicitor to resolve the matter on behalf of the City, in the City Solicitor's discretion, after consulting with the Ward Councillor and with the Director of Community Planning, Scarborough District.

Summary

This Motion will give the City Solicitor authority, along with appropriate City Staff, to attend the Toronto Local Appeal Body in order to support the Committee of Adjustment's decision refusing the minor variance application regarding 47 White Abbey Park (Application A0011/20SC).

The Application sought to legalize an as-built driveway that is wider than the maximum permitted driveway width of 4.16 metres, as prescribed in the City's Zoning By-law 569-2013. Planning staff raised concerns with respect to the Application because the proposed driveway does not meet the purpose and intent of applicable Official Plan policies and Zoning By-law regulations regarding neighbourhood character and driveway standards, among other concerns.

On June 1, 2020, the Committee of Adjustment refused the Application. The owners of 47 White Abbey Park appealed the Decision to the Toronto Local Appeal Body, as filed by their agent/representative.

The Appeal, which will be considered by the Toronto Local Appeal Body, seeks approval of the Application.

At this time, a Toronto Local Appeal Body hearing date is yet to be scheduled for this Appeal.

Background Information (City Council)

Member Motion MM23.22

Committee of Adjustment Scarborough Panel Notice of Decision on application for Minor Variance/Permission for 47 White Abbey Park

<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-153615.pdf>

(February 28, 2020) Report from the Director, Community Planning, Scarborough District on 47 White Abbey Park

<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-153616.pdf>