

City Council

Notice of Motion

MM13.2	ACTION			Ward: 24
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8 Adams Drive - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Paul Ainslie, seconded by Councillor Jennifer McKelvie

** Notice of this Motion has been given.*

** 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 Paul Ainslie, seconded by Councillor Jennifer McKelvie, recommends that:

1. City Council direct the City Solicitor to attend the Toronto Local Appeal Body hearing with appropriate City staff in order to oppose the Appeal and to uphold the Committee of Adjustment's refusal of Application A0161/23SC, respecting 8 Adams Drive.
2. City Council authorize the City Solicitor to attempt to negotiate a resolution of the Appeal for 8 Adams Drive (Application A0161/23SC) and City Council authorize the City Solicitor to settle the matter on behalf of the City at the City Solicitor's discretion, after consultation with the Ward Councillor and the Director, Community Planning, Scarborough District.

Summary

The applicant applied to the Committee of Adjustment requesting variances from City-wide Zoning By-law 569-2013 (Application Number A0161/23SC), including seeking to legalize 7 secondary suites in the basement of single-detached dwelling.

On October 18, 2023, the Scarborough District Panel of the Committee of Adjustment refused to grant the requested minor variances (Decision in Attachment 1). The applicant has appealed the refusal to the Toronto Local Appeal Body.

In its report to Committee of Adjustment dated October 6, 2023, Scarborough District Community Planning staff determined that the proposal does not maintain the general intent and purpose of the Official Plan and Zoning By-law and is not in keeping with the existing physical character of the neighbourhood and recommended that the minor variance application be refused (Staff Report in Attachment 2).

The Toronto Local Appeal Body hearing is set for February 28, 2024. The motion is before City Council as Applicant Disclosure and Notice of Intention to be a Party are due prior to the January 19, 2024 meeting of Scarborough Community Council, on December 20, 2023 and January 2, 2024 respectively (Notice of Hearing in Attachment 3).

This Motion will authorize and direct the City Solicitor to attend the Toronto Local Appeal Body hearing, 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, at the City Solicitor's discretion and in consultation with local Councillor and Scarborough District Community Planning.

Background Information (City Council)

Member Motion MM13.2

(October 18, 2023) Attachment 1 - Notice of Decision of the Committee of Adjustment regarding Application A0161/23SC dated October 18, 2023

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-241381.pdf>)

Attachment 2 - (October 6, 2023) Report from the Director, Community Planning, Scarborough District on 8 Adams Drive

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-241382.pdf>)

Attachment 3 - Toronto Local Appeal Body Notice of Hearing issued Thursday, November 30, 2023

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-241383.pdf>)