

City Council**Notice of Motion**

MM13.4	ACTION			Ward: 4
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32 Triller Avenue - Request for City Solicitor to Attend at the Toronto Local Appeal Body - by Councillor Gord Perks, seconded by Councillor Kristyn Wong-Tam

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Toronto and East York 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 Gord Perks, seconded by Councillor Kristyn Wong-Tam, recommends that:

1. City Council authorize the City Solicitor, along with appropriate City Staff, to attend the Toronto Local Appeal Body in order to support the decision of the Committee of Adjustment to refuse the minor variances requested in Application A0790/19TEY regarding 32 Triller Avenue.
2. City Council authorize the City Solicitor to attempt to negotiate a resolution regarding the Appeal, and 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, Community Planning, Toronto and East York District.

Summary

This Motion will give the City Solicitor authority, with appropriate City Staff, to attend the Toronto Local Appeal Body in order to support the Committee of Adjustment's decision refusing certain variances sought in an application respecting 32 Triller Avenue (Application A0790/19TEY) (the "Application").

The Application sought variances to the City's Zoning By-law 569-2013 in order to permit a front yard parking pad and rear decks. Planning staff recommended that the Committee of Adjustment refuse the parking pad variances of the Application.

On November 13, 2019, the Toronto and East York District Panel of the Committee of Adjustment refused the parking pad variances of the Application but approved the rear deck variance. On November 26, 2019, the owner of 32 Triller Avenue appealed the decision to the Toronto Local Appeal Body.

The Appeal, which will be considered by the Toronto Local Appeal Body, seeks variances to the City-wide Zoning By-law 569-2013 to permit a front yard parking pad. The size of the front parking pad is deficient, and contravenes the Zoning By-law as well as Chapter 918 of the City of Toronto Municipal Code. City Planning and Transportation Services Staff provided comments to the Committee of Adjustment recommending refusal of the requested variances relating to the proposed front yard parking pad. Staff have concerns with the variances for the parking space located in the front yard is contrary to the intent of the Zoning By-law as well as the existing character of the area. The Application and related variances do not meet requisite tests for approval and therefore the decision should be upheld.

Background Information (City Council)

Member Motion MM13.4

Committee of Adjustment Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission for 32 Triller Avenue

<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-141049.pdf>

(October 29, 2019) Report from the Director, Community Planning, Toronto and East York District on 32 Triller Avenue, Committee of Adjustment Application

<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-141050.pdf>

(October 31, 2019) Report from the Manager, Permits and Enforcement-Parking, Transportation Services on 32 Triller Avenue