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**City Council****Motion without Notice**

MM3.32	ACTION			Ward:29
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**113A Cosburn Avenue - Representation at Ontario Municipal Board Hearing - by Councillor Mary Fragedakis, seconded by Councillor Josh Colle**

*\* 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 Mary Fragedakis, seconded by Councillor Josh Colle, recommends that:

1. City Council direct the City Solicitor to appeal decision A0959/14TEY to the Ontario Municipal Board, and attend at the Ontario Municipal Board hearing with appropriate City staff in opposition to the proposal that was before the Committee of Adjustment.
2. City Council direct the City Solicitor to pursue a settlement with any revised proposal containing a parking space behind the main front wall of the house, and increases to the landscaping and soft landscaping provided onsite.

**Summary**

The applicant has applied to the Committee of Adjustment (Application No. A0956/14TEY) for minor variances from Zoning By-law 6752 and 569-2013 to alter the existing one-storey detached house by constructing a two-storey rear addition, a full second storey addition, a new front porch and a rear patio basement walkout (the "Application"). The applicant is proposing parking by way of a front yard parking pad.

The Application was approved by the Committee of Adjustment on Wednesday January 28, 2015 (the "Decision").

The subject property is located on the south side of Cosburn Avenue, east of Pape Avenue. The property is designated "Apartment Neighbourhoods" in the Official Plan, and is zoned R3A High Density Residential in Zoning By-law 6752 of the former Borough of East York and RA (d2.0) Residential Apartment in Zoning By-law 569-2013 of the City of Toronto.

Planning staff are opposed to the landscaping variances and the variance to permit parking in front of the main front wall of the house. It is the intent of the zoning by-law that a legal parking space, when required, is provided on the same lot for which the parking space is

required. Front yard parking pads are intended to be used only in cases where it is not feasible to provide a legal parking space due to site constraints. On this site, it has not been shown that a legal parking space cannot be accommodated on this lot.

This Motion would give the City Solicitor authority to appeal the Decision and attend the OMB hearing in opposition to the Application. It would also give the City Solicitor authority to negotiate a settlement that resolves the City's concerns.

This Motion is urgent as the deadline for appeal to the Ontario Municipal Board will pass before the next City Council meeting.

### **Background Information (City Council)**

Committee of Adjustment Toronto and East York Panel - Public Hearing Notice on Minor Variance/Permission for 113A Cosburn Avenue

<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-76302.pdf>

Committee of Adjustment Toronto and East York Panel - Notice of Decision on Minor Variance/Permission for 113A Cosburn Avenue

<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-76259.pdf>