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**City Council****Notice of Motion**

<b>MM38.16</b>	<b>ACTION</b>			Ward: 4
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**Representation at Toronto Local Appeal Body hearing for 324 & 324A High Park Avenue - by Councillor Gord Perks, seconded by Councillor Mike Layton**

- \* 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 Mike Layton, recommend that:

1. City Council authorize and direct the City Solicitor to seek party status in the appeal of the Committee of Adjustment's refusals of Applications A0913/21TEY and A0680/21TEY for 324 and 324A High Park Avenue, and to attend the Toronto Local Appeal Body hearing(s), with appropriate City staff, in opposition to the proposal.
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 appeals and, if a resolution is reached, to settle the appeals at the City Solicitor's discretion, and in consultation with the Ward Councillor and the Chief Planner and Executive Director, City Planning.

**Summary**

Each applicant applied to the Committee of Adjustment (Applications A0680/21TEY and A0913/21TEY) (the "Applications") seeking permission to construct parking pads in the front yards of the existing detached dwellings on adjacent properties and to modify the front yard landscaping.

More specifically, each of the Applications request similar variances from the front yard soft landscaping requirements set out in Zoning By-law 569-2013 and the prohibition on front yard parking spaces.

City Planning provided reports to the Committee of Adjustment dated October 13, 2021 recommending refusal of each of the Applications (copies attached). At its hearing on October 20, 2021, the Committee of Adjustment refused both of the Applications (the "Decisions"). The Notices of Decision are attached. The applicants appealed the Decisions on November 5, 2021.

This Motion will authorize the City Solicitor to seek party status in the appeal of the Decisions and to attend the Toronto Local Appeal Body with appropriate City Staff or outside consultants, in order to oppose the minor variances requested in the Applications. 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 MM38.16

Committee of Adjustment Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission/Consent for 324A High Park Avenue

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-174210.pdf>)

(October 13, 2021) Report from the Director, Community Planning, Toronto and East York District on 324A High Park Avenue Committee of Adjustment Application

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-174208.pdf>)

Committee of Adjustment Toronto and East York Panel Notice of Decision on application for Minor Variance/Permission/Consent for 324 High Park Avenue

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-174211.pdf>)

(October 13, 2021) report from the Director, Community Planning, Toronto and East York District on 324 High Park Avenue Committee of Adjustment Application

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-174297.pdf>)