TORONTO   **Member Motion**

City Council

MOTION WITHOUT NOTICE

MM31.13	ACTION			Ward: 24

Ontario Municipal Board Hearing - Committee of Adjustment Application - 2885 Bayview Avenue - Councillor Shiner, seconded by Councillor Stintz

•This Motion relates to an Ontario Municipal Board Hearing and has been deemed urgent. Council has added this Motion to the agenda for debate.

Recommendations

Councillor Shiner, seconded by Councillor Stintz, recommends:

1.   That City Council authorize the City Solicitor to appeal the decision of the Committee of Adjustment on behalf of the City of Toronto and appear before the Ontario Municipal Board in support of the appeal.

2.   That City Council also authorize the City Solicitor to retain such outside consultants as the City Solicitor considers appropriate to support the appeal.

Summary

The Committee of Adjustment for the City of Toronto (North District) approved an application by Daniels HR Corporation at its meeting of February 19, 2009, for a variance from the zoning by-law to permit a financial institution (bank) to be located on the ground floor of the mixed use residential condominium building located at 2885 Bayview Avenue. The variance was requested as a financial institution (bank) is not a permitted use.

City Planning staff did not report on the matter.

The site is subject to site specific Zoning By-law 336-2001 which permits a mixed use development. The introduction of this use is a change to the uses permitted by the Zoning By-law and is not a minor variance. It is also poor planning and inappropriate for the development of this site.

Attachment

(Submitted to City Council on February 23 and 24, 2009, as MM31.13)

Background Information

Notice of Decision, Minor Variance/Permission (February 19, 2009) for 2885 Bayview Avenue, from the Manager and Deputy Secretary Treasurer, North York Panel, Committee of Adjustment
(http://www.toronto.ca/legdocs/mmis/2009/mm/bgrd/backgroundfile-19329.pdf)