

## **City Council**

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**Request the City Solicitor attend OMB Appeal Hearing for 1100 The Queensway, and to defend the decision of the Committee of Adjustment to refuse the variance application (A1/10EYK) - by Councillor Milczyn, seconded by Councillor Grimes**

*\* This Motion has been deemed urgent by the Chair. Council has added this Motion to the agenda for debate.*

### **Recommendations**

Councillor Milczyn, seconded by Councillor Grimes, recommends that:

1. City Council authorize the City Solicitor to attend the Ontario Municipal Board Hearing once scheduled for 1100 The Queensway in support of the Committee of Adjustment decision to refuse the application. If necessary the City Solicitor will seek the assistance of outside Planners in the preparation of the case to support the Committee of Adjustment decision A1/10EYK.

### **Summary**

The applicant proposes to establish a retail sales store of adult novelties at 1100 The Queensway. The Queensway Avenue By-law 514-2003.3.A expressly prohibits such a use. Adult Entertainment establishments are prohibited as is the retail sales of adult novelties. The purpose of The Queensway Avenue By-law is to promote the revitalization and redevelopment of this main east-west artery in Etobicoke. Since the adoption of this By-law two significant residential developments have been completed and a third is set to come underway. Also a number of new commercial redevelopments have begun all of which are street related and reinforce the objects of this By-law and the Official Plan.

Once a street in decline, the Queensway attracted a disproportionate number of adult establishments; strip clubs, adult video stores, massage parlours, and other adult service establishments thinly veiled in legitimacy. The establishments detract from the area and inhibit its revitalization.

The City should defend this By-law and the Committee's upholding of the By-law so as to ensure the objects of The Queensway Avenue Study and By-law are realised.

(Submitted to City Council on March 31 and April 1, 2010 as MM47.17)