
City Council

Motion without Notice

MM52.52	ACTION			Ward: 5
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Directing City Solicitor to defend decision of Committee of Adjustment – 1258 The Queensway - 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 direct the City Solicitor to attend the Ontario Municipal Board (OMB) hearing, and to retain outside planning consultants if required, to defend of the decision of Committee of Adjustment - Etobicoke York Panel, which denied the variance application for 1258 The Queensway, should the City be informed that the applicant has appealed this decision to the OMB.

Summary

The business, operating as ‘Rainbow Massage’ at 1258 The Queensway was refused a business license in January 2010 because of zoning. The operator however, opened and ran a business without a license, resulting in two charges being laid by the City of Toronto for operating an unlicensed business. The court date for these charges is December 16, 2010.

Subsequently ‘Rainbow Massage’ sought permission of the Committee of Adjustment – Etobicoke York Panel on August 26, 2010 for a variance to the Zoning By-law, for a parking variance. Whereas seven (7) onsite spaces are required, they are seeking approval for only two (2) spaces. This variance requested is not minor in nature as the number of parking spots provided falls more than 50 percent short of those required in an area which is already has a shortage of on-street parking. The Committee of Adjustment –Etobicoke York Panel has denied this variance application.

Charges for running an unlicensed business are still pending.

(Submitted to City Council as MM52.52)