

**City Council**

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**Motion without Notice**

MM9.15	ACTION			Ward: 27
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**512-514 Jarvis Street – Ontario Municipal Board Hearing – July 12, 2011  
– by Councillor Kristyn Wong-Tam, seconded by Councillor John Parker**

- \* *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 Kristyn Wong-Tam, seconded by Councillor John Parker recommends that:

1. City Council request the City Solicitor attend the Ontario Municipal Board hearing scheduled on July 12, 2011, along with independent land-use planning experts if necessary, to defend the Committee of Adjustment's refusal of variances at 512-514 Jarvis Street (Applications No.: A0933/10TEY and A0934/10TEY).

**Summary**

The owner of the property applied to the Committee of Adjustment for four variances for the property to legalize and maintain the bed-and-breakfast that converted into a hotel, a recording studio and private restaurant with an outdoor patio without proper authorization. The Committee of Adjustment refused the application on April 6, 2011 and the owner has subsequently appealed. An Ontario Municipal Board hearing is set for July 12, 2011. Recognizing the concerns of the community that the variances are not minor, and that they meet neither the general intent and purpose of the Zoning Bylaw nor the intent and purpose of the Official Plan, it is my view that the decision of the Committee of Adjustment should be upheld.

(Submitted to City Council on June 15, 2011 as MM9.15)