TORONTO Member Motion

City Council

Notice of Motion

MM23.10	ACTION			Ward:5

Request for City Representation at the Ontario Municipal Board Hearing for A76-12EYK to defend the refusal decision of the Committee of Adjustment for 15 Cliveden Avenue - by Councillor Peter Milczyn, seconded by Councillor Adam Vaughan

**** Notice of this Motion has been given.***
**** This Motion is subject to referral to the Etobicoke York Community Council. A two-thirds vote is required to waive referral.***
**** This Motion relates to an Ontario Municipal Board Hearing and has been deemed urgent.***

Recommendations

Councillor Peter Milczyn, seconded by Councillor Adam Vaughan, recommends that:

1. City Council authorize the City Solicitor and appropriate City staff to appear at the Ontario Municipal Board Hearing for 15 Cliveden Avenue to uphold the decision of the Committee of Adjustment, and to defend the position of Planning staff on this matter.

Summary

This variance application was before the Committee of Adjustment on Thursday, March 29, 2012 seeking permission to permit a commercial parking lot with 13 parking stalls on a residential lot (R2 Second Density Residential Zone). Planning staff recommended refusal of the variance. As the local Councillor, and upon receiving numerous letters of objection from residents in the area, I submitted my comments to the Committee recommending refusal. The Committee of Adjustment's decision was to refuse the variance requested.

On April 16, 2012 the Applicant appealed the decision of the Committee of Adjustment to the Ontario Municipal Board.

At the Committee of Adjustment, staff recommended that the application be rejected on the grounds that a parking lot is not listed as a permitted use in a Second Density Residential Zone (R2), and that the site is designated as "*Neighbourhoods*" within the Official Plan, therefore, any increase to the traffic and parking in the neighbourhood does not meet the general intent of the Official Plan or Zoning by- law.

(Submitted to City Council on May 8 and 9, 2012 as MM23.10)

Background Information (City Council)

Member Motion MM23.10
(March 28, 2012) Report from the Director, Community Planning, Etobicoke York District on

15 Cliveden avenue
(March 29, 2012) Committee of Adjustment, Etobicoke York Panel Notice of Decision on application for Minor Variance/Permission for 15 Cliveden Avenue
(http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-46886.pdf)
(March 29, 2012) Letter from Councillor Peter Milczyn, Ward 5, Etobicoke-Lakeshore, respecting 15 Cliveden Avenue
(http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-46954.pdf)