


Member Motion

City Council

Motion without Notice

MM24.33	ACTION			Ward:18
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615 College Street – Ontario Municipal Board Hearing - by Councillor Mike Layton, seconded by Councillor Kristyn Wong-Tam

- * *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 Mike Layton, seconded by Councillor Kristyn Wong-Tam, recommends that:

1. City Council direct the City Solicitor and other appropriate staff to appear at the Ontario Municipal Board to support the Toronto and East York Committee of Adjustment's refusal of the application for variances for 615 College Street.

Summary

On April 4, 2012, the Toronto and East York Committee of Adjustment refused the variance required to allow a rear yard patio in conjunction with the existing restaurant, The Willson 96, at 615 College Street. The variance is to permit a rear yard patio on a lot zoned Mixed Commercial Residential (MCR) under Zoning By-law 438-86 which is adjacent to a lot zoned Residential (R). City Planning staff submitted a report to the Committee recommending refusal of the requested variance.

The applicant has appealed this refusal of the Committee of Adjustment to the Ontario Municipal Board (OMB).

The proposal creates a land use conflict with nearby residential uses related to noise and privacy and is prohibited under By-law 438-86. The proposal is not minor and does not meet the four tests used to assess Committee of Adjustment Applications.

The purpose of this motion is to seek Council's direction for the City Solicitor, together with City Planning and other appropriate staff, to oppose the appeal of the variance at the OMB.

This motion is urgent because the one day hearing has been set for June 22, 2012.

(Submitted to City Council on June 6 and 7, 2012 as MM24.33)

Background Information (City Council)

Member Motion MM24.33

Committee of Adjustment Notice of Decision on 615 College Street

(<http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-48233.pdf>)