
City Council

Motion without Notice

MM51.58	ACTION			Ward:19
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To request Council Authority to Attend the Ontario Municipal Board Hearing for File A0032/14TEY (788 King Street West) - by Councillor Mike Layton, seconded by Councillor Sarah Doucette

** 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 Sarah Doucette, recommends that:

1. City Council authorize the City Solicitor, and any necessary City staff, to attend the Ontario Municipal Board hearing for 788 King Street West to support the Toronto and East York Committee of Adjustment's approval of minor variances, on condition, for this site, and to seek additional conditions as deemed advisable by the City Solicitor, in consultation with the Ward Councillor.

Summary

On March 5, 2014, the Committee of Adjustment approved, on condition, a variance application for 788 King Street West (A0032/14TEY). The two variances granted would allow for the conversion of ground floor retail space into a restaurant in an existing mixed use building. The Committee of Adjustment approved the variances subject to a condition that would prohibit a dance floor, stage, teletheatre gambling, disc jockey, sound room and gaming machines within the restaurant.

The decision of the Committee of Adjustment has been appealed by a neighbour and an Ontario Municipal Board hearing has been scheduled for June 27, 2014.

I would like the City Solicitor to attend the upcoming OMB hearing to ensure that the condition imposed by the Committee of Adjustment prohibiting certain entertainment uses in the restaurant is imposed by the Ontario Municipal Board if the application is approved. I would also like the City Solicitor to seek additional conditions, if deemed advisable and in consultation with my office, to be attached to the variances if granted.

As the local Councillor, I request City Council to authorize the City Solicitor, and any necessary City staff, to attend the Ontario Municipal Board hearing for 788 King Street West to support the Toronto and East York Committee of Adjustment's approval of minor variances, on condition, for this site, and to seek additional conditions as deemed advisable by the City Solicitor, in consultation with my office.

This Motion is urgent because the Ontario Municipal Board hearing has been scheduled for June 27, 2014.

(Submitted to City Council on May 6 and 7, 2014 as MM51.58)

Background Information (City Council)

Member Motion MM51.58

Committee of Adjustment Toronto and East York Panel - Notice of Decision on Minor Variance/Permission for 788 King Street West

<http://www.toronto.ca/legdocs/mmis/2014/mm/bgrd/backgroundfile-69178.pdf>