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## City Council

### Motion without Notice

MM54.33	ACTION			Ward:34
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**88 Sunrise Avenue and 22 Hobson Avenue - OMB Appeal - by Councillor Denzil Minnan-Wong, seconded by Councillor James Maloney**

*\* 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 Denzil Minnan-Wong, seconded by Councillor James Maloney, recommends that:

1. City Council authorize the City Solicitor and appropriate City Planning Staff to attend the Ontario Municipal Board hearing in opposition to the application in its present form.
2. City Council authorize the City Solicitor to negotiate with the applicant, in consultation with the local Ward Councillor, to achieve reductions in the overall scale of the proposal and/or to secure conditions of approval in order to mitigate the impacts of the proposal on neighbouring properties.

#### Summary

The Islamic Community of Afghans in Canada made an application to the Committee of Adjustment, North York Panel in order to allow the construction of a new place of worship with ancillary uses at 88 Sunrise Avenue, and to allow the existing building at 22 Hobson Avenue to be converted to a community centre once the existing place of worship is relocated. Variances are required to the zoning by-law because a place of worship is already located on the block, and in order to locate a place of worship within 500 metres of another place of worship.

Planning staff recommended refusal of the application as it does not meet the intent of either the Official Plan or the applicable zoning by-law. The application was refused on May 28, 2014 (file number A302/14NY) and has subsequently been appealed to the Ontario Municipal Board by the applicant. A hearing has not yet been scheduled.

Safety and parking concerns have been raised by a neighbouring property owner. These concerns have not been satisfactorily addressed by the applicant.

The local Ward Councillor is requesting that City Legal and City Planning Staff attend the Ontario Municipal Board hearing to oppose the application in its present form, and to negotiate with the applicant in order to achieve reductions in the overall scale of the proposal, and/or to secure conditions of approval that would mitigate the impacts of the proposal on neighbouring properties.

(Submitted to City Council on July 8 and 9, 2014 as MM54.33)

**Background Information (City Council)**

Member Motion MM54.33