
City Council

Notice of Motion

MM8.5	ACTION			Ward:2
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Request for Attendance at an Ontario Municipal Board Hearing - Appeal of Committee of Adjustment Decision respecting 35 City View Drive (A613/13EYK) - by Councillor Rob Ford, seconded by Councillor Justin Di Ciano

** 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 Rob Ford, seconded by Councillor Justin Di Ciano, recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Municipal Board on the appeal of Committee of Adjustment Application No. A613/13EYK respecting 35 City View Drive to oppose the Committee of Adjustment's decision to grant the minor variances and to support City staff's recommendation to refuse the minor variances.

Summary

The Etobicoke York Panel of the Committee of Adjustment approved an application for minor variances related to the property municipally known as 35 City View Drive on April 9, 2015. The application sought variances related to the zoning by-law, which states that a Place of Assembly is not listed as a permitted use in an E Zone.

Planning staff state that Policy 4.6. 1 of the Official Plan states that Employment Areas are "places of business and economic activity. Uses that support this function consist of: offices . . . and small scale stores and services that serve area businesses and workers".

Furthermore, Economic Development and Culture staff have stated concerns that a banquet hall is considered a sensitive use by the Ontario Ministry of the Environment and Climate Change (MoECC). It is possible that a banquet hall located in an Employment District would initiate noise and odour complaints against its business neighbors. Traffic and parking complaints may also arise from the business neighbors against the banquet hall.

Transportation staff have expressed concerns that justification is needed for the 112 parking space shortfall.

This decision was appealed to the Ontario Municipal Board. This matter is time sensitive and urgent as the hearing date is set for August 12, 2015. This session of City Council is the last opportunity for the City Solicitor to obtain instructions regarding this matter prior to the scheduled hearing date.

Background Information (City Council)

Member Motion MM8.5

<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-81888.pdf>

Committee of Adjustment, Etobicoke York Panel Notice of Decision on application for Minor Variance/Permission for 35 City View Drive

<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-81889.pdf>

Committee of Adjustment, Etobicoke York Panel, April 9, 2015 background materials respecting 35 City View Drive

<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-81890.pdf>

Committee of Adjustment, Etobicoke York Panel, February 20, 2014 background materials respecting 35 City View Drive

<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-81891.pdf>