

ITEM 32**APRIL 9, 2015**

File Number:	A613/13EYK	Zoning	IC2 & E (Waiver)
Owner(s):	HANO INVESTMENT LTD.	Ward:	Etobicoke North (02)
Agent:	W E OUGHTRED & ASSOCIATES INC		
Property Address:	35 CITY VIEW DR	Community:	
Legal Description:	CON 2 PT LOT 23		

PURPOSE OF THE APPLICATION:

To demolish a portion of the industrial building along the north side wall and to convert the existing industrial building into a banquet hall.

REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:**Section 60.20.20.10.(1), By-law 569-2013**

A Place of Assembly (banquet hall) is not listed as a permitted use in an E Zone.

The Committee had before it the following communication:

- A copy of the minutes from the February 20, 2014, public hearing.
- The revised Zoning Review Waiver, along with a copy of the revised plan of survey, revised site statistics and the revised site, floor and elevation plans, received on March 10, 2015.
- The covering letter from Bill Oughtred, agent, dated March 9, 2015.
- The e-mail from David Brown, previous agent, dated February 19, 2015.
- The letter from Susanne Pringle, Manager & Deputy Secretary-Treasurer, dated February 23, 2015.
- The e-mail from Meagan Sanderson, W.E. Oughtred & Associates, agent, dated March 4, 2015, with attachments.

Commenting Agency Reports/Email

- The e-mail / correspondence from:
 - The Economic Development Officer, Business Services, Economic Development & Culture, dated February 18, 2014, and April 6, 2015.
- The Staff Reports from:
 - The Director, Community Planning, Etobicoke York District, dated February 13, 2014, and April 1, 2015.
- The Departmental Memorandum from:
 - The Manager, Traffic Planning/R-O-W Management, Transportation Services, dated February 18, 2014.

Councillor

- The correspondence from Councillor Ford, Ward 2, dated April 8, 2015.

Opposition

- The correspondence in opposition from:
 - Marc P. Kemerer, Devry Smith Frank LLP, agent for 650 Dixon Road, dated April 7, 2015, with attachments.

The following persons appeared before the Committee of Adjustment in connection with the foregoing matter:

- Bill Oughtred, agent, outlined the application, referring to the revised material on file.
- Marc Kemerer, agent for 650 Dixon Road, spoke in opposition to the application.

DECISION:

It was moved by Mary-Anne Popescu, seconded by Fred Dominelli and carried unanimously that the application be **approved**, subject to the following condition:

The Committee of Adjustment's decision of approval shall be valid for a period of 5 years, expiring on April 30, 2020.

The **reason** for the decision is that, in the opinion of the Committee of Adjustment, the variance requested, **subject to the above-noted condition**, is minor in nature, is desirable for the appropriate development and use of the subject property and does maintain the general intent and purpose of the Zoning By-law and the Official Plan.



Economic Development & Culture
Business Services
Business Retention and Expansion

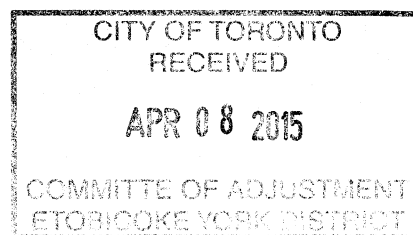
77 Elizabeth Street
2nd Floor
Toronto, ON M5G 1P4

Rebecca Condon, MCIP, RPP
Senior Business Development Officer

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Email: rcondon@toronto.ca

April 6, 2015

Susanne Pringle, Manager & Deputy Secretary Treasurer
Committee of Adjustment
Etobicoke Civic Centre
399 The West Mall
Toronto ON M9C 2Y2



Re: EDC-Business Growth Services Comments -35 City View Drive- A613/13EYK

To the Chair and Committee of Adjustment Members:

EDC-Business Growth Services-Business Retention & Expansion recommends refusal of the variance application for 35 City View Drive submitted by WE Oughtred & Associates Inc on behalf of Hano Investment Ltd.

The applicant has applied for a variance that would allow them to demolish a portion of the industrial building along the north side wall and to convert the existing industrial building into a banquet hall.

The following variance is requested:

- Section 60.20.20.10. (1), By-law 569-2013**
A Place of Assembly (banquet hall) is not listed as a permitted use in an E Zone.

The site is located in an Employment District as shown on Official Plan Urban Structure Map 2 and is in an Employment Area as shown on Official Plan Land Use Map 14. The site is Zoned IC2 (Industrial) and E (Employment).

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.

EDC -Business Growth Services has the following comments and concerns about the variance application to permit a banquet hall:

- The location of sensitive uses may influence location decisions for businesses considering operating within an employment area. These sensitive uses may cause businesses to seek

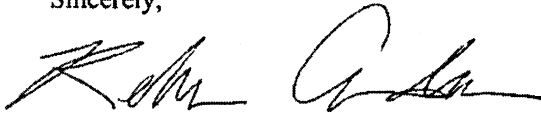
alternative locations to avoid land use conflicts. Approval of sensitive uses may act to destabilize an employment area.

- The proximity of sensitive uses may impact the Environmental Compliance Approvals required by the Ministry of the Environment and Climate Change for certain types of businesses. These Certificates may require costly measures to mitigate adverse impacts. Sensitive uses in an employment area sends a signal that this is not a location conducive to all types of businesses as permitted by the in force zoning.
- Employment areas are designated for the location of businesses outlined by the in force zoning. When sensitive uses are permitted it removes property that would otherwise be available for those businesses to locate. It is important for the City's future prosperity and economic development that there is a large and diverse pool of sites and buildings in many locations available for businesses to operate throughout the City of Toronto.

EDC believes that the approval of these variances may be detrimental to the viability of existing area businesses and may impact the future development of the Employment District/Area for the employment uses as intended by the Official Plan and the in force zoning. It is our position that this application is neither desirable nor minor in nature.

Thank you for your consideration.

Sincerely,



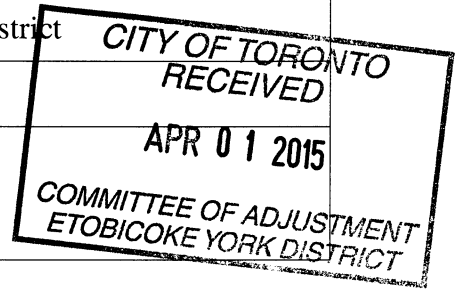
Rebecca Condon, MCIP, RPP
Senior Business Development Officer

Cc: George Spezza – Director, Business Growth Services
John Alderdice- Manager, Business Retention & Expansion
Susana Vaz- Senior Business Development Officer



STAFF REPORT
Committee of Adjustment
Application

Date:	Wednesday, April 1, 2015
To:	Chair and Committee Members of the Committee of Adjustment Etobicoke York Panel
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 1
Reference:	File No.: A613/13EYK Address: 35 City View Drive Application to be heard: Thursday, April 9, 2015



RECOMMENDATION

It is recommended that the application to demolish a portion of the existing industrial building and to convert the industrial building into a banquet hall be refused.

APPLICATION

To demolish a portion of the industrial building along the north side wall and to convert the existing industrial building into a banquet hall.

REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:

Section 60.20.20.10.(1), By-law 569-2013

A Place of Assembly (banquet hall) is not listed as a permitted use in an E Zone.

COMMENTS

The Toronto Official Plan designates the site as *Employment Areas*. The site is within the Class 2 Industrial (I.C2) zone of the former City of Etobicoke Zoning Code and the Employment Industrial Zone (E) of the new City-wide Zoning By-law No. 569-2013.

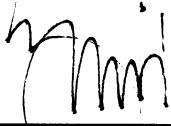
Policy 4.6.1 of the Official Plan states that *Employment Areas* are "places of business and economic activity. Uses that support this function consist of: offices ... and small scale stores and services that serve area businesses and workers".

Further to the City Planning Staff Report dated February 13, 2014, staff continue to have the opinion that the minor variance application process is not the appropriate forum to consider the introduction of this use and that the use should be evaluated through a more

thorough process that requires Council consideration. As such, staff recommend the application be refused.

CONTACT

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Fax: 416-394-6063
E-mail: estandre@toronto.ca

W


Neil Cresswell, MCIP, RPP
Director, Community Planning
Etobicoke York District

To: Susanne Pringle, Manager and Deputy Secretary-Treasurer
Committee of Adjustment, Etobicoke York Panel

From: Joe Mariconda, Acting Manager, Traffic Planning/R-O-W Management

Date: February 18, 2014

Subject: **HANO INVESTMENT LTD.**
35 CITY VIEW DRIVE
A613/13EYK

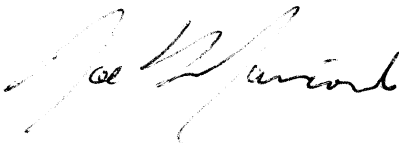
ORIGINAL #17

The Transportation Services Division reviewed the above-noted minor variance application from a traffic planning perspective and has the following comments.

The site is located on the east side of Milford Avenue, north of Dixon Road and east of Highway 27, and contains an existing vacant one-storey industrial building. The applicant proposes to convert the building into a banquet hall and requests a parking variance to permit a parking supply of 249 stalls, whereas the Etobicoke Zoning Code requires a minimum of 361 on-site parking stalls, according to the submitted zoning review.

The proposed 112-stall parking shortfall is significant and the applicant has provided no evidence to support the proposed parking variance; i.e., submission of a parking study, which shall be undertaken by a qualified transportation engineering consultant.

On this basis, we recommend deferral of the subject minor variance application to provide the applicant an opportunity to provide supporting evidence to justify the proposed 112-stall parking shortfall.



Joe Mariconda
Acting Manager, Traffic Planning/R-O-W Management
Transportation Services Division

AM/JM

cc: C. of A.
Street: 'City View Drive'