

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

PURPOSE OF THE APPLICATION:

To convert a portion of 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.
- Section 320-23.B.(1)**
A minimum of 361 parking spaces are required for the site.
A total of 249 parking spaces will be provided.

The Committee had before it the following communication:

- A copy of the plan of survey, site statistics and the site, floor and elevation plans.
- Decision Number A-32 affecting the subject property.

Commenting Agency Reports/Email

- The Staff Report(s) from:
 - The Director, Community Planning, Etobicoke York District, dated February 13, 2014.
 - The Economic Development and Culture, Etobicoke, dated February 20, 2014.
- The Departmental Memorandum from:
 - The Manager, Traffic Planning/R-O-W Management, Transportation Services, dated February 18, 2014.

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

- David Brown, agent, outlined the application, referring to the material on file, indicating he would like to proceed with the application at the February 20, 2014 hearing.
- David McKay, representing the owner of 650 Dixon Road, spoke in opposition to the application.

MOTION:

It was moved by Dominic Gulli, seconded by Mary-Anne Popesu, and carried that the application be **deferred sine die** for further consultation with City Staff.

Conflict of Interest: Paul Valenti



STAFF REPORT
Committee of Adjustment
Application

Date:	Thursday, February 13, 2014
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, February 20, 2014 at 1:00 p.m.

RECOMMENDATION

It is recommended that the application to permit a banquet hall and the reduction in parking spaces be refused.

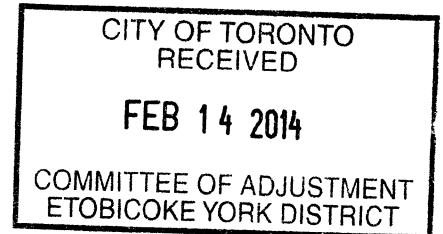
APPLICATION

The applicant requests permission to convert a portion of the existing industrial building into a banquet hall.

The applicant is seeking approval for the following variances:

- 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.
- Section 320-23.B.(1)**
A minimum of 361 parking spaces are required for the site.
A total of 249 parking spaces will be provided.

ORIGINAL



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.

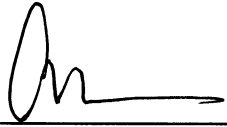
Policy 4.6.1 of the Official Plan states that *Employment Areas* are "places of business and economic activity. Uses that support this function consist of: offices ... and small scale stores and services that serve area businesses and workers".

Planning staff have reviewed the application and supporting materials.

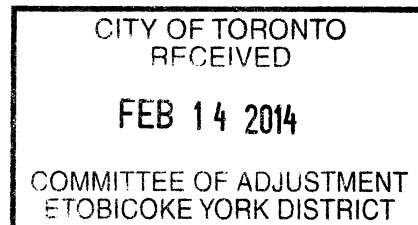
Although the use was a permitted use under the former City of Etobicoke Zoning Code, staff have concerns with the proposed banquet hall as it is not listed as a permitted use in the recently adopted City-wide Zoning By-law. The variance request seeks to reintroduce a use which was removed under the City's review of the harmonized Zoning By-law. It is staff's opinion 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

Ellen Standret, Planner
Tel: 416-394-8223
Fax: 416-394-6063
E-mail: estandre@toronto.ca



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





Rebecca Condon, MCIP, RPP
Economic Development Officer

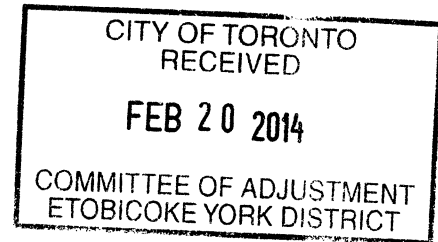
Economic Development & Culture
Business Services
Business Retention and Expansion

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

Tel: 416-392-0626
Fax: 416-392-1380
Email: rcondon@toronto.ca

February 18, 2014

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



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

ORIGINAL

Committee of Adjustment Members:

EDC-Business Services-Business Retention & Expansion recommends refusal of the variance application for 35 City View Drive submitted by David Brown on behalf of Hano Investment Ltd.

The applicant has applied for two variances that would allow the applicant to convert a portion of an existing industrial building into a banquet hall.

The variances requested are as follows:

1. **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.
2. **Section 320-23.B.(1)**
A minimum of 361 parking spaces are required for the site.
A total of 249 parking spaces will be provided.

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).

EDC is concerned that the Banquet Hall may be considered a sensitive use by the Ontario Ministry of the Environment (MoE). It is possible that a Banquet Hall located in an Employment District might initiate noise, odour and traffic complaints against its business neighbors.

These complaints may impact a company's MoE Certificate of Compliance. These Certificates often require property owners to adapt their buildings and processes to mitigate impacts on nearby sensitive uses. These requirements may create additional expense and could potentially

present a situation where mitigation would be cost prohibitive thereby causing a business to relocate.

EDC is also concerned that the parking variance request is significant (112 spaces-a 30% deficit). This could potentially create an overflow parking issue that may impact area businesses.

We do not view these variance requests as minor and have concerns that the proposed banquet hall may create a land use conflict in the Employment District.

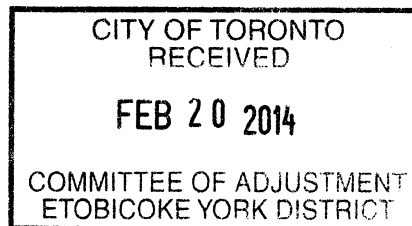
Thank you for your consideration.

Sincerely,



Rebecca Condon, MCIP, RPP
Economic Development Officer

Cc: George Spezza – Acting Director, Business Services
Catherine Cieply- Acting Manager, Business Retention & Expansion
Matthew Premru- Economic Development Officer



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

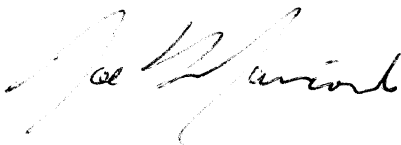
#17

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'