

City Council**Notice of Motion**

MM17.27	ACTION			Ward:38
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Request for City Solicitor to Attend at the Ontario Municipal Board - Hydro Corridor to the North of Scarborough General Hospital - 3050 Lawrence Avenue East - by Councillor Glenn De Baeremaeker, seconded by Councillor Joe Mihevc

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Scarborough 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 Glenn De Baeremaeker, seconded by Councillor Joe Mihevc, recommends that:

1. City Council direct the City Solicitor to attend at the Ontario Municipal Board in respect to Application A206/15SC to oppose the variance for the permanent parking lot and for any further extensions of that use on the Hydro corridor to the north of the Scarborough General Hospital at 3050 Lawrence Avenue East, and authorize the City Solicitor to retain outside consultants as necessary.

Summary

In 2002, the Scarborough General Hospital received approval from the Scarborough Committee of Adjustment to erect a temporary parking lot of 190 spaces in the Hydro Corridor north of the hospital lands for the purpose of providing temporary staff parking during the construction of the Critical Care Centre. The approval was granted on the condition that the parking lot be removed and the parkland be restored by the end of 2007. At that time, the City of Toronto had a license agreement with Hydro One for the use of said lands as parkland. The local community agreed to the building of a temporary parking lot, on the condition that the parking lot would revert to parkland at the end of the five years (September 2007). This condition was imposed by the Committee of Adjustment in 2002.

In 2007 the Hospital made a request to extend the variance. The Committee of Adjustment approved the extension but the Decision was appealed to the OMB by the City of Toronto which approved the extension. The OMB permitted the variance for the existing parking lot until June 2015.

The Hospital now wishes to retain the parking lot for permanent use and applied under variance Application A206/15SC for that permission. At its hearing on October 15, 2015, the

Committee of Adjustment approved the application with conditions, including the condition that the approval be limited to a five (5) year period and subject to the condition that within three (3) years of the date of the Decision becoming final and binding, that the owner is to submit and maintain in good standing an application for a Zoning amendment to permit the subject parking lot on a permanent basis. A copy of the Committee of Adjustment Decision is attached.

The Hospital has appealed the Committee of Adjustment Decision to the Ontario Municipal Board. The Hearing is scheduled for July 12, 2016.

City Planning's Report on the application is attached. City Planning recommended that the application be approved with conditions, including the conditions that the approval be limited to a five (5) year period and that within one (1) year of the date of the decision becoming final and binding, that the owner is to submit and maintain in good standing an application for a Zoning amendment to the permit the subject parking on a permanent basis.

The permanent parking lot proposal violates the original 2002 Committee of Adjustment approval which required that the parking lot be removed and the parkland reinstated by the end of 2007. It also violates the understanding the Hospital had with the seniors at the Jack Goodlad Seniors Residence (that the temporary parking lot would be removed in 2007). Further, the variance for permanent parking does not satisfy the tests under Section 45 of the Planning Act. Accordingly, this Motion recommends that the City Solicitor be instructed to attend at the Ontario Municipal Board to oppose the variance for the permanent parking lot and for any further extensions of that use.

Background Information (City Council)

Member Motion MM17.27

Committee of Adjustment, Scarborough District Notice of Decision on application for Minor Variance/Permission for Hydro Corridor north of Scarborough General Hospital

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-91575.pdf>)

(October 8, 2015) Report from the Director, Community Planning, Scarborough District on Hydro Corridor north of Scarborough General Hospital

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-91549.pdf>)