

City Council**Motion without Notice**

MM20.71	ACTION			Ward:23
---------	--------	--	--	---------

384 Sheppard Avenue East - Request for Representation at the Ontario Municipal Board - by Councillor John Filion, seconded by Councillor Joe Mihevc

** 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 John Filion, seconded by Councillor Joe Mihevc, recommends that:

1. City Council authorize the City Solicitor to appeal the Committee of Adjustment's decision regarding Application A0421/16NY respecting 384 Sheppard Avenue East to the Ontario Municipal Board.
2. City Council authorize the City Solicitor and appropriate staff to attend the Ontario Municipal Board, and to retain outside consultants as necessary, in order to oppose the proposed variances requested in Application A0421/16NY respecting 384 Sheppard Avenue East.
3. City Council request the General Manager, Transportation Services to report to the September 12, 2016 meeting of the North York Community Council on whether the standards in the City of Toronto By-law 569-2013 applies to the subject site.

Summary

M M & J Schwartz Inc. has applied to the Committee of Adjustment (Application A0421/16NY) for minor variances from North York Zoning By-law No. 7625 to construct a second and third storey addition to the existing two-storey commercial building. The Application is seeking a front yard setback and 12 parking spaces where 19 is required.

At its hearing on June 22, 2016, the Committee of Adjustment approved the application for minor variances. The Notice of Decision and the Memorandum from the Manager, Traffic Planning/Right-of-Way Management, Transportation Services, North York District are attached. Community Planning, North York District did not comment on the application.

Transportation Services commented that the number of parking spots was deficient under applicable parking provisions contained in North York By-law No. 7625 but would be adequate

according to the standards contained in the new City of Toronto Zoning By-law No. 569-2013. However, it would appear that the subject property is located in an area in which By-law 569-2013 specifically does not apply.

Background Information (City Council)

Member Motion MM20.71

Committee of Adjustment, North York Panel Notice of Decision on application for Minor Variance/Permission for 384 Sheppard Avenue East

<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-95031.pdf>

(June 21, 2016) Memorandum from the Manager, Traffic Planning/Right-of-Way Management, North York District on 384 Sheppard Avenue East

<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-95032.pdf>