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**City Council**

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**Motion Without Notice**

MM16.10	ACTION			Ward:6
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**76 Ash Crescent - Request for Attendance at an Ontario Municipal Board Hearing - Appeal of Committee of Adjustment Decisions B12/11EYK, A173/11EYK, and A174/11EYK - by Councillor Mark Grimes, seconded by Councillor Pam McConnell**

*\* 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 Mark Grimes, seconded by Councillor Pam McConnell, recommends that:

1. City Council direct the City Solicitor to attend the Ontario Municipal Board hearing scheduled for February 8, 2012 on the appeals of Applications B12/11EYK, A173/11EYK and A174/11EYK respecting 76 Ash Crescent to request an adjournment of the hearing.
2. In the event the adjournment is granted, City Council authorize the City Solicitor to retain outside consultants as necessary and to attend the rescheduled Ontario Municipal Board in support of the Committee of Adjustment decisions to refuse the said applications.

**Summary**

The Etobicoke York Panel of the Committee of Adjustment at its meeting of September 22, 2011 refused the requested variances and lot severance by the applicant for the property at 76 Ash Crescent under applications numbered B12/11EYK, A173/11EYK and A174/11EYK.

The applicant has appealed the Committee's decisions to the Ontario Municipal Board. The OMB hearing has been scheduled for Wednesday, February 8, 2012. This Motion is made to authorize the City Solicitor to attend the Ontario Municipal Board to request an adjournment of the proceedings in order to provide an opportunity for the City to work with the local residents in opposition and should the adjournment be granted to authorize the City Solicitor to retain outside consultants as necessary and to attend the rescheduled OMB Hearing to uphold the decisions of the Committee of Adjustment. If the adjournment is not granted, the City Solicitor will excuse herself from the hearing.

The requested severance of the lot and related variances are not in keeping with the ambience and character of this historical neighbourhood.

The Long Branch Community has a long history and is one of the cornerstones of the Etobicoke Lakeshore community. The variances and severance would have an adverse impact on the area and the City's waterfront trail. This motion is to support local residents' valid concerns regarding the potential negative impact of this proposal on the character of this historical neighbourhood.

As the OMB hearing is scheduled for Wednesday, February 8, 2012, this is a time sensitive matter.

(Submitted to City Council on February 6 and 7, 2012 as MM16.10)