TORONTO Member Motion

City Council

Notice of Motion

MM22.6	ACTION			Ward:30

35 Peyton Lane - Direction to City Solicitor to attend at the Ontario Municipal Board - by Councillor Paula Fletcher, seconded by Councillor Mike Layton

**** Notice of this Motion has been given.***
**** This Motion is subject to referral to the Toronto and East York 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 Paula Fletcher, seconded by Councillor Mike Layton, recommends that:

1. City Council direct the Executive Director of Technical Services to continue to explore with the applicant for 35 Peyton Lane all reasonable servicing solutions in accordance with all legislative, regulatory and by-law requirements, including exploration of alternative routing for the servicing.

2. In the event the servicing cannot be agreed upon, City Council direct the City Solicitor and appropriate City staff to appear at the Ontario Municipal Board to uphold the condition in the Committee of Adjustment's decisions in Applications Numbered A0909/08TEY, A0910/08TEY, A0911/08TEY and B0129/08TEY respecting 35 Peyton Lane that written confirmation of servicing arrangements, inclusive of fire protection and solid waste refuse collection, will be/are to be provided to the satisfaction of the Executive Director of Technical Services.

Summary

At its hearing on August 25, 2010, the Committee of Adjustment approved Applications Numbered A0909/08TEY, A0910/08TEY, A0911/08TEY and B0129/08TEY respecting 35 Peyton Lane to permit the demolition of two existing one-storey buildings and to redevelop the land with 3, three-storey detached dwellings, each dwelling being on a new lot. The applications were approved subject to conditions, including the requirement that the applicant obtain written confirmation that servicing arrangements, inclusive of fire protection and solid waste refuse collection, will be/are to be provided to the satisfaction of the Executive Director, Technical Services. The applicant appealed that condition to the Ontario Municipal Board. To date the applicant has not agreed to servicing arrangements satisfactory to the Executive Director, Technical Services.

This is an urgent matter as an Ontario Municipal Board hearing has been scheduled for May 30, 31 and June 1, 2012.

The purpose of this motion is to give the City Solicitor and appropriate City staff direction to attend the Ontario Municipal Board hearing to uphold the servicing condition in the four Committee of Adjustment decisions.

(Submitted to City Council on April 10 and 11, 2012, as MM22.6)