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**City Council****Motion without Notice**

MM6.40	ACTION			Ward:24
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**Staff Representation at an Ontario Municipal Board Hearing for 88 Risebrough Avenue - by Councillor David Shiner, seconded by Councillor James Pasternak**

*\* 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 David Shiner, seconded by Councillor James Pasternak, recommends that:

1. City Council authorize the City Solicitor to appeal decision A0246/15NY of the Committee of Adjustment regarding 88 Risebrough Avenue and authorize the City Solicitor to retain an outside planning witness, if necessary, to provide expert evidence before the Ontario Municipal Board.
2. City Council authorize the City Solicitor to continue discussions with the applicant, in consultation with the local Councillor, to attempt to resolve the appeal.

**Summary**

An application was made to the Committee of Adjustment for a minor variance including but not limited to increased building length and building height in order to permit the construction of a new two-storey dwelling with flat roof at 88 Risebrough Avenue.

On Thursday April 23, 2015, the Committee of Adjustment, North York Panel approved the minor variance subject to the standard conditions of the City's Urban Forestry Division.

The variance granted is not consistent with what has been previously approved by the Committee of Adjustment in this area. The proposed building height and length would result in a dwelling that would be out of keeping with the existing physical character of the area.

**Background Information (City Council)**

Member Motion MM6.40

(April 23, 2015) Committee of Adjustment, North York Panel Notice of Decision on Minor

variance/permission for 88 Risebrough Avenue  
(<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-79936.pdf>)