

City Council**Motion without Notice**

MM20.75	ACTION			Ward:25
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12 Pembury Avenue - Request for City Solicitor to Attend at Ontario Municipal Board Hearing - by Councillor Jaye Robinson, seconded by Councillor Gary Crawford

** 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 Jaye Robinson, seconded by Councillor Gary Crawford, recommends that:

1. City Council authorize the City Solicitor and appropriate City Staff to attend the Ontario Municipal Board and oppose the proposed consent and variances requested in Applications B0043/15NY, A0837/15NY, A0838/15NY respecting 12 Pembury Avenue, and to retain outside consultants as required.

Summary

At its hearing on February 4, 2016, the Committee of Adjustment refused Applications B0043/15NY, A0837/15NY and A0838/15NY respecting 12 Pembury Avenue. The Applications propose to sever the existing lot into two undersized residential lots and build two detached two-storey homes. A copy of the Committee of Adjustment Decision is attached.

The applicant has appealed the Decision to the Ontario Municipal Board.

City Planning, by its report of January 25, 2016, recommended to the Committee of Adjustment that the applications for consent and minor variance be refused. Heritage Preservation Services also submitted a report requesting that approval be subject to a number of conditions, including a condition that the Applicant submit an archaeological assessment of the entire development property. Copies of the January 25, 2016 City Planning report and the November 18, 2015 Heritage Preservation Services report are attached.

This Motion would also direct the City Solicitor and appropriate staff authority to attend the Ontario Municipal Board and oppose the Applications. It would also give the City Solicitor authority to retain outside consultants as necessary in order to oppose the Applications.

This Motion is urgent as the Ontario Municipal Board Hearing is scheduled for July 28, 2016.

Background Information (City Council)

Member Motion MM20.75

(January 25, 2016) Report from the Director, Community Planning, North York District on 12 Pembury Avenue - File No. B0043/15NY, A0837/15NY and A0838/15NY

<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-95041.pdf>

(November 18, 2015) Report from the Acting Manager, Heritage Preservation Services on 12 Pembury Avenue, Committee of Adjustment - Consent Application No. B0043/15NY, A0837/15NY and A0838/15NY

<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-95042.pdf>

Committee of Adjustment, North York Panel, Notices of Decision on consent and minor variances for 12 Pembury Avenue

<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-95019.pdf>