

## City Council

### Notice of Motion

MM23.10	ACTION			Ward:25
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**1 Hedgewood Road - Request for City Solicitor to Attend at Ontario Municipal Board Hearing - by Councillor Jaye Robinson, seconded by Councillor Michelle Holland**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the North 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 Jaye Robinson, seconded by Councillor Michelle Holland, recommends that:

1. City Council authorize the City Solicitor to attempt to negotiate a settlement in the appeal of Committee of Adjustment Application A0677/16NY respecting 1 Hedgewood Road and authorize the City Solicitor to settle the matter on behalf of the City in the City Solicitor's discretion after consultation with the Chief Planner and Executive Director, City Planning and the Ward Councillor.
2. In the event that a settlement cannot be reached, City Council authorize the City Solicitor and appropriate staff to attend the Ontario Municipal Board and oppose Application A0677/16NY regarding 1 Hedgewood Road.
3. City Council authorize the City Solicitor to retain outside consultants as necessary to oppose Application A0677/16NY regarding 1 Hedgewood Road.

### Summary

The Applicant has applied to the Committee of Adjustment, North York District (Application A0677/16NY) to obtain minor variances from Zoning By-laws 569-2013 and 7625 in order to construct a new three-storey detached dwelling with an integral garage. The existing dwelling and detached garage would be demolished.

At its hearing on October 20, 2016, the Committee of Adjustment, North York Panel refused the Application on the basis that it does not meet the Planning Act's four tests for minor variances. A copy of the Decision is attached. The Applicant appealed the Decision to the Ontario Municipal Board. A hearing date has not yet been scheduled.

This Motion would give the City Solicitor and appropriate staff authority to attend the Ontario Municipal Board and oppose the Application. It would also give the City Solicitor authority to

retain outside consultants as necessary in order to oppose the Application. Additionally, it would authorize the City Solicitor to attempt to negotiate a settlement and to settle the matter on behalf of the City in the City Solicitor's discretion after consultation with the Chief Planner and Executive Director, City Planning and the Ward Councillor.

### **Background Information (City Council)**

Member Motion MM23.10

(October 20, 2016) Committee of Adjustment, North York Panel Notice of Decision on application for Minor Variance/Permission for 1 Hedgewood Road

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-98975.pdf>)