

City Council

Motion without Notice

MM40.12	ACTION			Ward: 22
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60-62 Oriole Road – Request for City Solicitor to Appear at the Ontario Municipal Board Hearing - by Councillor Walker, seconded by Councillor Jenkins

- *This Motion has been deemed urgent by the Chair.*
- *Council has added this Motion to the agenda for debate.*

Recommendations

Councillor Walker, seconded by Councillor Jenkins, recommends that:

1. City Council authorize the City Solicitor and the appropriate City staff and/or independent consultant(s) to appear at the Ontario Municipal Board to oppose the proposed development at 60-62 Oriole Road and its associated applications to amend the Zoning By-law and Site Plan Approval.

Summary

At its meeting on Wednesday, April 29, 2009 and Thursday, April 30, 2009 City Council adopted Notice of Motion MM35.4, which requested that the City Solicitor appear at the Ontario Municipal Board (OMB) with appropriate and/or independent consultant(s), if necessary, in support of the Committee of Adjustment's refusal of the subject application. The Notice of Motion MM35.4 is attached herewith.

Since the Committee of Adjustment refusal of the application at 60-62 Oriole Road, the applicant submitted an application to amend to the former City of Toronto Zoning By-law, which reflected the same plans that were considered and refused by the Committee of Adjustment. On the basis that Council has not made a decision on the application to amend the Zoning By-law, the applicant appealed the rezoning application to the OMB. The applicant also appealed their application for Site Plan Approval to the OMB.

The Ward Councillor and Planning staff are satisfied that the consolidation of the appeals at the OMB is appropriate. In order to ensure that the City Solicitor has proper authority to appear before the OMB to oppose all related applications, this Notice of Motion is required.

(Submitted to City Council as MM40.12 - October 1, 2009)

Background Information

Previous motion MM35.4 considered by City Council on April 29 and 30, 2009
(<http://www.toronto.ca/legdocs/mmis/2009/mm/bgrd/backgroundfile-23994.pdf>)