



## STAFF REPORT ACTION REQUIRED

### 3083-3101 Dufferin Street and 770 Lawrence Avenue West – Ontario Municipal Board Hearing

<b>Date:</b>	January 15, 2010
<b>To:</b>	City Council
<b>From:</b>	City Solicitor
<b>Wards:</b>	Ward No. 15 – Eglinton Lawrence
<b>Reference Number:</b>	File Nos. 07 283458 NNY 15 OZ and 07 288511 NNY 15 SB

#### **SUMMARY**

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The purpose of this report is to advise that the City Solicitor will be reporting to the January 26 and 27 meeting of City Council to seek further instruction for the upcoming Ontario Municipal Board Hearing on the above noted matter scheduled to commence on February 23, 2010

#### **RECOMMENDATIONS**

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The City Solicitor recommends that:

1. The City Solicitor, in consultation with the Director of Community Planning, North York District, be requested to report directly to City Council at its meeting of January 26 and 27, 2010, for direction in advance of the February 23, 2010 Ontario Municipal Board Hearing.

#### **FINANCIAL IMPACT**

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The recommendations will have no financial impact beyond what has already been approved in the current year's budget.

## **DECISION HISTORY**

At its meeting of December 1, 2, 4, and 7, 2009, City Council adopted item NY29.33, directing the City Solicitor and other City Staff to attend the Ontario Municipal Board (OMB) hearing for the above noted matter to oppose the proposed Zoning By-law Amendment and Draft Plan of Subdivision applications. In addition, City Council also directed the City Solicitor and City Staff to meet with the applicant and the community to scope out a possible settlement for the matter. Recommendation #3 as adopted by Council states:

3. City Council authorize the City Solicitor and appropriate City staff, in consultation with the local Councillor, to continue discussions with the applicant in an attempt to resolve the issues outlined in the report (November 3, 2009) from the Director, Community Planning, North York District, and others raised by Council and, if necessary, report directly to Council for further instructions regarding any matters to be resolved before the Ontario Municipal Board and report back to Council, if necessary, for further instruction in advance of the OMB Hearing.

A nine day OMB hearing is scheduled to begin on February 23, 2010.

## **ISSUE BACKGROUND**

In accordance with the direction of City Council, City staff have met with the applicant, members of the community and representatives of Villa Charities Inc., one of the other parties to the proceeding. A community meeting has also been scheduled for January 21, 2010, and further discussions with the applicant are anticipated. The City Solicitor will therefore prepare a report to Council after the January 21 meeting and is requesting authority to submit that report directly to Council.

## **CONTACT**

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## **SIGNATURE**

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Anna Kinastowski, City Solicitor