
City Council

Motion without Notice

MM49.18	ACTION			Ward: 39
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1030 McNicoll Avenue - Ontario Municipal Board - Section 37 Contribution - by Councillor Del Grande, seconded by Councillor Kelly

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

Confidential Attachment - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; communications subject to solicitor-client privilege.

Recommendations

Councillor Del Grande, seconded by Councillor Kelly, recommends that:

1. City Council adopt the recommendations contained in the report dated (May 5, 2010) from the City Solicitor.

Summary

On October 31, 2007, the Ontario Municipal Board ("OMB") allowed appeals to the City of Scarborough Official Plan and to the City of Scarborough Zoning By-law No. 24982, to permit the development of 1030 McNicoll Avenue for a mixed use development including senior citizen residences and institutional and community facilities.

At the request of the parties, the OMB deferred making any decision on the issue of the appropriate section 37 contribution and asked the parties to come to an agreement.

City staff have had ongoing discussions with the appellant regarding an appropriate section 37 contribution.

The City Solicitor has prepared a report seeking instructions.

(Submitted to City Council on May 11 and 12, 2010 as MM49.18)