
City Council

Motion without Notice

MM13.7	ACTION			Ward:21
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212 Vesta Drive – Further Instructions on a Minor Variance Appeal to the Ontario Municipal Board - by Councillor James Pasternak, seconded by Councillor Anthony Perruzza

- * 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.*

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

Recommendations

The City Solicitor recommends that:

1. City Council adopt the recommendations contained in the report (October 21, 2011) from the City Solicitor.

Summary

This report seeks further instructions respecting the City's appeal to the Ontario Municipal Board (the "OMB") of seven variances (now reduced to four variances due to the repeal of the new harmonized zoning by-law) granted by the Committee of Adjustment for the subject property on October 6, 2010 under Application No. A0795/10TEY. The City was largely successful at the first OMB hearing. However, the applicant sought and was granted a Section 43 re-hearing request by the OMB. The re-hearing is scheduled to be heard on November 16, 17 and 18, 2011.

The purpose of this report is to seek further directions from City Council with respect to the re-hearing. This is a time sensitive matter as those directions are required prior to the conclusion of City Council's meeting scheduled for October 24 and 25, 2011.

(Submitted to City Council on October 24 and 25, 2011 as MM13.7)