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**City Council**

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**Notice of Motion**

MM14.9	ACTION			Ward:21
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**Authority for City position at the Ontario Municipal Board - A0803-10TEY - 220 Rosemary Road - by Councillor Joe Mihevc, seconded by Councillor John Filion**

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

*\* This Motion is subject to referral to the Toronto and East 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 Joe Mihevc, seconded by Councillor John Filion, recommends that:

1. City Council authorize the City Solicitor to agree to a settlement of the appeal, if a revised plan is submitted to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, respecting a reduction in gross floor area and the construction of roof trusses in the third storey attic at 220 Rosemary Road.

**Summary**

At its meeting of September 21 and 22, 2011 (TE 9.83) City Council instructed the City Solicitor to attend the Ontario Municipal Board hearing and retain outside planning consultants, if necessary, to uphold the decision of the Committee of Adjustment in the matter A0803-10TEY - 220 Rosemary Road.

Since that time, there have been discussions among the applicant, the neighbourhood residents and the City's consultant planner. As a result of these discussions further instructions are required from City Council.

(Submitted to City Council on November 29 and 30, 2011 as MM14.9)