
City Council**Motion Without Notice**

MM16.7	ACTION			Ward:24
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Appeal by Concord Adex of A Minor Variance Decision; Lands south of Esther Shiner Boulevard and West of Provost Drive - by Councillor David Shiner, seconded by Councillor Denzil Minnon-Wong

- * *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.*

Recommendations

Councillor David Shiner, seconded by Councillor Denzil Minnan-Wong, recommends that:

1. City Council direct the City Solicitor to attend the Ontario Municipal Board hearing on February 7, 2012 in support of the Minor Variances requested for the lands south of Esther Shiner Boulevard and west of Provost Drive, provided any conditions attached to the Variances include a requirement for the applicant to pay \$500,000.00 toward the provision of the public Community Centre to be located west of Provost Drive, and that Site Plan approval be obtained on the parcel of land shown as Part 3 on the draft Reference Plan.

Summary

In the late Fall of 2011, the Committee of Adjustment, in considering applications no. B013/11NY and A299/11NY, approved a Consent to Sever the subject lands, subject to conditions, but the Committee refused a parallel application for Minor Variances. The refusal of the Variances has been appealed to the Ontario Municipal Board and a hearing of the merits is set for this Tuesday, February 7, 2012.

The variances requested range from an increase in the number of storeys for a building, to matters of setback adjustments. City Planning staff authored two reports to Committee, which planning reports were dated July 25, 2011 and August 25 2011. In respect of the minor variance application, staff recommended that if the variances were approved, the approval should be conditional upon the applicant obtaining site plan approval with respect to the largest parcel, Part 3 on a draft Reference Plan. Secondly, staff recommended that any Section 45 Planning Act benefits generated by this application be directed to construction of the proposed public Community Centre that would be located further west of Provost Drive. Specifically,

the applicant is to provide a cash contribution of \$500,000.00 toward the provision of a public Community Centre. Such a contribution would be indexed pursuant to the Non-Residential Construction Price Index until paid.

(Submitted to City Council on February 6 and 7, 2012 as MM16.7)