TORONTO **Member Motion**

City Council

Motion without Notice

MM23.36	ACTION			Ward:27

365-375 Church Street – Zoning Amendment Application OMB Hearing - Councillor Kristyn Wong-Tam, seconded by Councillor Peter Milczyn

**** 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 matter before the Ontario Municipal Board and concerns advice that is subject to solicitor-client privilege

Recommendations

Councillor Kristyn Wong-Tam, seconded by Councillor Peter Milczyn recommends that:

1. City Council receive the report dated May 8, 2012 from the City Solicitor.

Summary

The applicant has appealed the Zoning By-law Amendment to the Ontario Municipal Board (OMB).

The OMB has recently scheduled a 2 day hearing of the appeal for July 11 and 12, 2012 at the Applicant's request. Staff will need direction from City Council for the hearing and are seeking instruction on how to proceed.

The City Solicitor has prepared a report seeking instructions.

This is a time sensitive issue due to the timing of the Ontario Municipal Board Hearing.

(Submitted to City Council on May 8 and 9, 2012 as MM23.36)

Background Information (City Council)

Member Motion MM23.36
(http://www.toronto.ca/legdocs/mmis/2012/mm/bgrd/backgroundfile-47174.pdf)