John Filion

Toronto City Councillor – Ward 23, Willowdale

Date: **October 10, 2012**

To: North York Community Council –City Clerk's Office-Secretariat

From: Councillor John Filion

Subject: **81 Elmwood Avenue – Withdrawal of Ontario Municipal Board appeal**

SUMMARY:

On June 6, 2012, the North York Panel of the Committee of Adjustment approved a consent to sever and minor variances for the property at 81 Elmwood Avenue (B035/12NY, A242/12NY, A243/12NY). At its meeting of July 11, 12 and 13 2012, City Council adopted Motion MM25.14, instructing the City Solicitor to appeal the decision of the Panel to the Ontario Municipal Board.

The Ontario Municipal Board has determined that the appeals for Minor Variance applications A242/12NY and A243/12NY were received by the municipality after the appeal period had expired. As a result, the Board will not hear those appeals. Proceeding with the consent to sever appeal alone is not in the best interests of the City. As a result, the consent to sever appeal should be abandoned.

RECOMMENDATIONS:

1. **City Council direct the City Solicitor to withdraw the City's appeal to the Ontario Municipal Board of the consent to sever respecting 81 Elmwood Avenue (OMB file PL121069).**

TORONTO

Toronto City Hall
100 Queen Street W., Suite B36
Toronto, Ontario M5H 2N2
Tel: (416) 392-0210
Fax: (416) 392-7388
councillor_filion@toronto.ca

North York Civic Centre
5100 Yonge Street
Toronto, Ontario M2N 5V7
Tel: (416) 395-6411
Fax: (416) 395-6441
www.johnfilion.ca