

City Council

Notice of Motion

MM45.9	ACTION			Ward:All
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Temporary Delegation to the Chief Planner - Authority During Council Recesses to Direct Attendance at Ontario Municipal Board Hearings - by Councillor Mary Fragedakis, seconded by Councillor Sarah Doucette

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Planning and Growth Management Committee. A two-thirds vote is required to waive referral.*

Recommendations

Councillor Mary Fragedakis, seconded by Councillor Sarah Doucette, recommends that:

1. City Council delegate to the Chief Planner and Executive Director of City Planning, during the following time periods, the authority to direct City staff to attend at Ontario Municipal Board Hearings on appeals of Committee of Adjustment decisions where City Planning staff have made written submissions to the Committee of Adjustment on the application; the delegation shall include the authority to direct the City Solicitor to appeal a Committee of Adjustment decision on behalf of the City where City Planning staff have commented in writing on the application and the authority to direct the City Solicitor to attend at the Hearing:
 - a. from the completion of City Council's December 16, 2013 meeting to the start of City Council's February 19, 2014 meeting; and
 - b. from the completion of City Council's August 27, 2014 meeting to the start of City Council's December 11, 2014 meeting.
2. City Council request the Chief Planner and Executive Director of City Planning to submit a status report to the Planning and Growth Management Committee on the use of the delegated authority during these recess periods.

Summary

At the conclusion of the City Council meeting scheduled for December 16 and 17, 2013, City Council will not hold another regular Council meeting until February 19, 2014. Similarly, following its August 27 and 28, 2014 meeting, City Council will not meet to consider regular business until December 11, 2014. During these periods it is likely that there will be decisions arising from applications to the Committee of Adjustment which will be matters of concern to

the City and would warrant the City's attendance at the Ontario Municipal Board either on an appeal by the City itself or on the applicant's appeal to the Board.

The purpose of this Motion is to delegate temporary authority during these recess periods to the Chief Planner and Executive Director of City Planning to instruct the City Solicitor, and appropriate City staff, to attend at the Ontario Municipal Board where City Planning staff has written to the Committee of Adjustment on the application. This would include the authority to direct the City Solicitor to file an appeal of a decision. The discretion to send appropriate City staff to the OMB will be that of the Chief Planner. As City staff would be available to provide evidence at the Hearing, there will be no financial implications to this delegated authority. The City's position at the Hearing would be consistent with City Planning staff's written comments to the Committee of Adjustment.

This is an urgent matter as this is the last opportunity to delegate authority to the Chief Planner prior to the winter recess.

(Submitted to City Council on December 16 and 17, 2013 as MM45.9)

Background Information (City Council)

Member Motion MM45.9