
2015 OPERATING BUDGET BRIEFING NOTE

Addendum to Briefing Note # 24 - Information Regarding Information Regarding Ontario Municipal Board Hearings

Issue / Background:

At its meeting held on January 29, 2015, the Budget Committee requested the City Solicitor to provide a briefing note to the February 4, 2015 Budget Committee meeting outlining:

- a. A complete list of all complex development applications, by Ward, that were appealed to the Ontario Municipal Board in 2013 and 2014;
- b. The cost of all outside law firms and planning firms that were hired to work with city staff to prepare and attend at the Ontario Municipal Board;
- c. The total cost to City Legal Services to prepare and attend at the Ontario Municipal Board in 2013 and 2014; and
- d. The results of the Ontario Municipal Board hearings that ruled in the City's favour versus those that ruled in favour of the applicant.

Briefing Note #24 entitled "Information Regarding Ontario Municipal Board Hearings" was considered by Budget Committee at its meeting of February 13, 2015 and in so doing requested Legal Services to provide a more complete answer to the questions raised in the request for Operating Budget Briefing Note #24, in particular question "c".

Key Points:

(c) Total Cost to Legal Services to Prepare for and Attend at OMB in 2013 and 2014

The total internal cost for Legal Services to prepare for and attend the Ontario Municipal Board hearings based on billing rates was \$2,767,522.10 in 2013 and \$2,628,430.05 in 2014. These totals are calculated with the understanding that the hours worked on a file are captured in the year they are worked, which may be in a different year from when the hearing is actually held. For example, a hearing in early 2014 may have the majority of the work done on it in the previous calendar year. Likewise some of the 2014 work may be for files which have not yet been brought before the Ontario Municipal Board for a hearing.

The outside costs to Legal Services in preparing for and attending the OMB in 2013 and 2014 consist of the outside expert witness costs noted previously, namely \$297,077.50 in 2013 and \$163,056.31 in 2014.

The total cost for Legal Services to prepare for and attend the Ontario Municipal Board hearings was \$3,064,599.60 in 2013 and \$2,791,486.36 in 2014.

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