

City Council**Motion without Notice**

MM3.31	ACTION			Ward:10
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9 Tippet Road - Settlement of Ontario Municipal Board Appeals - by Councillor James Pasternak, seconded by Councillor Frances Nunziata

** 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 or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Recommendations

Councillor James Pasternak, seconded by Councillor Frances Nunziata, recommends that:

1. City Council adopt the instructions to staff contained in Confidential Attachment 1 to this Motion.
2. City Council authorize the public release of Confidential Attachment 1 and Appendix 1, if adopted by City Council.

Summary

The landowner of 9 Tippet Road filed the rezoning application on August 11, 2011. Subsequent to submission, the landowner agreed to the City request to have the applications processed concurrently and in the context of the municipal comprehensive review. At its meeting on November 8, 2011, Planning and Growth Management Committee also directed City staff to schedule the community consultation meeting upon completion of the municipal comprehensive review.

The municipal comprehensive is now complete, upon City Council adopting OPA 231 in December 2013.

The landowner appealed in July 2014 when it became clear that City staff had not made any meaningful progress on the applications. This failure to advance the applications is concerning when City Council twice directed staff to bring forward reports regarding these applications.

In November 2012, City Council directed staff to process the applications and report to North York Community Council after the statutory public meeting regarding the draft policies and designations for employment resulting from the municipal comprehensive review. That statutory public meeting happened in November 2013, more than a year ago.

In December 2013, City Council directed staff to present the findings of the Area Study and a report regarding these applications in early 2014, but as of yet, no presentation has been made.

This item is urgent as there is a pre-hearing at the Ontario Municipal Board for this application on March 16, 2015, which is before the next City Council meeting on March 31, 2015.

Background Information (City Council)

Confidential Attachment 1 and Appendix 1