

Report on Use of Temporary Delegated Authority During Council's 2013 Year End Recess and 2014 Municipal Election Recess Regarding Appeals of Committee of Adjustment Decisions

Date:	January 30, 2015
To:	Planning and Growth Management Committee
From:	City Solicitor
Wards:	All
Reference Number:	

SUMMARY

This report sets out the use of delegated authority during City Council's 2013 year end recess and Council's recess during the 2014 municipal election to direct the City Solicitor to attend at Ontario Municipal Board Hearings on appeals of Committee of Adjustment decisions or to appeal a Committee of Adjustment decision on behalf of the City.

Financial Impact

There is no financial impact beyond what has already been approved in the current year's budget.

DECISION HISTORY

At its meeting on December 16, 2013, City Council adopted Motion MM45.9, as amended, directing the City Solicitor to attend at the Ontario Municipal Board Hearings on appeals of Committee of Adjustment decisions or to appeal a Committee of Adjustment decision on behalf of the City at the request of the Ward Councillor after the Ward Councillor's consultation with the Chief Planner and Executive Director, City Planning during the following periods:

- a. from the completion of City Council's December 16, 17 and 18, 2013 meeting to the start of the City Council's February 19 and 20, 2014 meeting; and
- b. from the completion of City Council's August 27 and 28, 2014 meeting to the start of City Council's December 11 and 12, 2014 meeting.

City Council also requested the City Solicitor to submit a status report to the Planning and Growth Management Committee on the use of the delegated authority during those recess periods. This report is in response to that request.

The link to City Council's adoption of Motion MM45.9, as amended, is <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.MM45.9>

ISSUE BACKGROUND

In order to ensure that the City's land use planning interests were protected, City Council delegated authority to individual Councillors to instruct the City Solicitor to attend on Committee of Adjustment appeals to the Ontario Municipal Board during City Council's 2013 year end recess and during Council's recess for the 2014 municipal election.

COMMENTS

During the two recess periods, the delegated authority was used to instruct the City Solicitor to attend on a total of eleven Ontario Municipal Board Hearings related to appeals of Committee of Adjustment decisions. Those Committee of Adjustment decisions are set out below by municipal address, Ward and date of assignment to a City lawyer:

68 St. Hubert Avenue (Ward 29 – Toronto Danforth) – Assigned January 29, 2014
 142 Cameron Avenue (Ward 23 – Willowdale) – Assigned February 7, 2014 (Note: authority on this matter was further confirmed later by City Council - MM48.28)
 50 St. Joseph Street (Ward 27 – Toronto Centre Rosedale) – Assigned February 12, 2014

8 Derwyn Road (Ward 29 – Toronto Danforth) – Assigned September 23, 2014
 199 Bogert Avenue (Ward 23 – Willowdale) – Assigned October 7, 2014
 20 James Street (Ward 6 – Etobicoke Lakeshore) – Assigned October 16, 2014
 18 Daisy Avenue (Ward 6 – Etobicoke Lakeshore) – Assigned October 16, 2014
 149 Kingsdale Avenue (Ward 23 – Willowdale) – Assigned October 31, 2014
 25 Twenty Fourth St. (Ward 6 – Etobicoke Lakeshore) – Assigned November 3, 2014

1352 Mt. Pleasant (Ward 25 – Don Valley West) – Assigned November 14, 2014
1163 Broadview (Ward 29 – Toronto Danforth) – Assigned November 14, 2014

CONTACT

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SIGNATURE

Anna Kinastowski, City Solicitor