

Date: 2022-10-20

Subject: Ontario Land Tribunal Appeals Status Update Report

Contact: Steven Ross, Deputy City Solicitor
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Report Number: Legislative Services-2022-931

Recommendations:

1. That the report from Steven Ross, Deputy City Solicitor, Real Estate and Planning Law, Legislative Services dated October 20, 2022 to the City Council Meeting of November 30, 2022 re: Ontario Land Tribunal Appeals Status Update Report, be received.

Overview:

- This report provides a status update on Ontario Land Tribunal (formerly appeal proceedings including updates of active and concluded appeals).
- 12 OLT proceedings (23 appealed instruments) have concluded through hearing, settlement or withdrawal since last reporting on December 8, 2021.
- There are 29 active OLT proceedings (41 appealed instruments).

Background:

Council directed staff to report annually with a status update regarding Tribunal appeal activity. This report provides an update regarding active and concluded proceedings since the last report in December 2021.

The City is engaged in a variety of appeals including:

- Regional Official Plan Amendments;
- City Official Plan, City-wide and site specific Official Plan amendments;
- Secondary plans and Block plans;
- Zoning by-law amendments and minor variances;
- Interim control by-laws;
- Draft plans of subdivision and/or draft plan of subdivision conditions;
- Consents;

- Site plans;
- Development charges and planning act fees; and
- Ontario Heritage Act.

Certain appeals - such as the City wide Official Plan proceedings – involve multiple stakeholders and extensive issues whereas Committee of Adjustment appeals are normally dealt with in one or two days. All appeal files require a significant amount of staff time and resources to complete and every reasonable effort is made to evaluate the potential for settlement before a hearing is necessary. In addition to handling Court and other Tribunal matters, legal staff spend significant resources on Ontario Land Tribunal matters including file review, drafting legal opinions, negotiating with stakeholders, meeting with staff, reporting to Council and representing the City regarding procedural matters, pre-hearing conferences, mediation and hearings.

Current Situation:

Since staff last reported in December 2021, 10 Tribunal proceedings (21 appealed instruments) have concluded through withdrawal, negotiated settlement or hearing. There are 30 active Tribunal proceedings (42 appealed instruments) involving the City. Status updates are provided in this report for both concluded and active proceedings, the majority of which are handled by City staff.

The following case summaries are categorized by appealed planning instrument. The City file name, Tribunal number and status (active or concluded) is shown in the header for each matter.

The Tribunal website <https://olt.gov.on.ca/appeals-process/case-status/> has scheduling information and decisions for all active Tribunal matters. The assigned Tribunal Case Number (Eg. OLT-22-002605), which is identified with each case summary below, may be used to search the status of a particular appeal.

Regional Official Plan Amendments

Peel ROPAs 16/24/26 – Application to Amend the Official Plan – OLT-22-003238 (Formerly PL130110) – Administratively Closed at OLT

The City is a party to the Region of Peel’s transportation related Official Plan Amendments 16, 24 and 26. City Official Plan policies under appeal regarding transportation and corridor protection are expected be heard together. The proceeding has been adjourned since June 6, 2016 and is closed pending further direction from the parties.

Halton ROPA 43 – Application to Amend the Official Plan – OLT-22-333174 (Formerly PL140744) – Administratively Closed at OLT

ROPA 43 involves appeals of Halton Region’s transportation corridor protection policies. Appeals. The proceeding has been adjourned since 2018 and is closed pending further direction from the parties.

Town of Halton Hills Application to Amend the Official Plan and Zoning By-law – OLT-22-003253 and OLT-22-002146 (Formerly PL080424 and PL100931) – Administratively Closed at OLT

The Town of Halton Hills Official Plan and Comprehensive Zoning By-law appeals involving corridor protection issues have been adjourned since 2010 and are closed pending further direction from the parties.

City Initiated Official Plan Amendments

Brampton 2006 Official Plan – Application to Amend the Official Plan – OLT-22-003172 (Formerly PL080248) – All Wards – Administratively Closed at OLT

This proceeding was initiated in 2008 with numerous appeals and parties. Staff and external legal counsel have worked diligently to resolve outstanding issues and the City Official Plan is now largely in force. The transportation/corridor related Official Plan policies under appeal are expected to be heard with PL130110. The proceeding was administratively closed with the OLT on September 26, 2022.

Brampton Growth Plan Conformity – Application to Amend the Official Plan – OLT-22-003223 (Formerly PL120151) – All Wards – Administratively Closed at OLT

In July, 2013 and 2015, the Tribunal approved the majority of the City’s growth plan amendment, which has been incorporated into the City’s Official Plan. The policies remaining under appeal are expected to be dealt with as part of the Tribunal proceeding for Peel ROPA 26 and Brampton Official Plan.

Heritage Heights Secondary Plan – Application to Amend the Official Plan – OLT-22-003840 – Ward 6 - Active

On April 6, 2022, City Council adopted Official Plan Amendment 2006-210 which established the Heritage Heights Secondary Plan. Various appeals were filed with the OLT. No hearing dates have been scheduled. The next CMC is scheduled for March 23, 2023.

Site Specific Official Plan Amendments

Highway 427 Industrial Secondary Plan Area 47 – Application to Amend the Official Plan – OLT-22-002169 (Formerly PL141189) – Ward 10 – Active

In September 2014, Council adopted a City initiated Official Plan Amendment (OP2006-105) to establish the Highway 427 Industrial Secondary Plan Area 47 for lands generally bounded by Mayfield Road to the north, Castlemore Road to the south, Highway 50 to the east, and The Gore Road to the west.

OP2006-105 provides for residential and employment uses and protects for the GTA West Corridor. It has been appealed by the Province, the Region of Peel and a number of area land owners. On March 28, 2017, the Tribunal issued an Order on consent to bring into force much of the Secondary Plan area, save and except for lands protected for the GTA West corridor protection area and portions of appealed lands subject to area specific issues. In August, 2021, a further approval order was issued on consent.

The most recent CMC was held on March 4, 2022, during which an existing party was substituted for a new owner. The timing for the next CMC depends on the progress of EA processes for the GTA West Corridor and associated transportation infrastructure.

10605 Coleraine Drive (Caveze Investments Limited) – Site Plan Appeal – OLT-22-002156 (Formerly PL171159) – Ward 10 – Active

A site plan appeal was filed with respect to the same Caveze lands that are subject to the Highway 427 Secondary Plan appeals. No hearing dates have been scheduled for this proceeding. A CMC scheduled for July 2022 was cancelled with no replacement date.

Churchville Heritage Conservation District – Applications to Amend the Official Plan, Zoning By-law and Draft Plan of Subdivision – OLT-22-003292 (Formerly PL070797 and PL170679) – Ward 6 – Active

This matter involves appeals of the City's official plan amendments and zoning by-laws for the Churchville Heritage Conservation District. The majority of appeals were resolved in 2009 but there is one outstanding site specific appeal. The land subject to site specific appeal is subject to a separate Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision seeking 6 residential lots and the continuation of an existing public road. The Tribunal has been notified that a settlement has been negotiated, which is subject to the parties finalizing the implementing instruments.

Arlington Homes – Applications to Amend the Official Plan, Zoning By-law and Draft Plan of Subdivision and Plan of Condominium – PL110363 – Ward 7 – Concluded

The subject lands comprise approximately 0.44 hectares (1.1 acres) located at 9124 Dixie Road (west side of Dixie Road, north of Queen Street, south of North Park). Applications to permit the development of 6 townhouse units, 3 semi-detached units and 1 single detached dwellings were made in 2009. The applications were appealed to the Ontario

Municipal Board in 2011 on the basis of Council non-decisions. Pre-hearing conferences were held in 2016, 2017 and in 2021. A settlement hearing was held on October 6, 2021. The Tribunal ordered that the appeals (zoning, subdivision and site plan) be allowed in part. Final order was issued by the Tribunal on November 24, 2021. The Owner and City are working towards clearance of conditions for the purpose of plan registration.

34 Highwood Road (Trevi Homes) – PL170522 – Applications to Amend the Official Plan and Zoning By-law – Ward 2 – Concluded

The site, located on the southeast corner of Hurontario Street and Highwood Road, is proposed for 34 stacked townhouse units. The applicant has appealed to the Ontario Municipal Board on the basis of a Council non-decision. The hearing was held from May 7-11, 2018 and an additional hearing day on December 17, 2018. On January 18, 2019, the Tribunal issued a decision approving the zoning appeal in principle to allow 33 townhouses but withheld its order subject to modifications recommended by the City's planner being implemented in the final zoning by-law. The Tribunal issued its Order on January 11, 2022 that Zoning By-law 270-2004 of the City is amended pursuant to Attachment 1 of the Order. The City has assigned this ZBA as OLT ZB 1-2022. The file is now closed.

Flintshire Building Group Corp. (Castlemore Golf Course and Country Club) – OLT-22-001935 (Formerly PL170607, PL170608 and PL170609) – Applications to Amend the Official Plan, Zoning By-law and Draft Plan of Subdivision - Ward 10 – Concluded

These former golf course lands comprising approximately 19.74 ha (48.78 acres) are located on south side of Countryside Drive, East of Airport Road and are proposed to be developed for 69 single-detached lots. The applicant appealed to the Ontario Municipal Board on the basis of a Council non-decision. The hearing occurred from July 9, 2018 to July 18, 2018. A decision approving the applications subject to finalizing conditions was issued on May 8, 2019. The City filed a request for Tribunal review of the decision, which was dismissed. The applicant subsequently filed a request that the Tribunal consider an alternative draft plan of subdivision that does not rely on access through City owned blocks. A hearing was held on January 27, 2022 where the parties agreed to a revised Plan. The Tribunal issued its decision on February 16, 2022. The file is now closed.

MCN (Heritage) Inc. – 12 Heritage Road – Application to Amend the Official Plan – OLT-22-002823 (Formerly PL171490) – Ward 6 – Active

These lands comprising 8.1 hectares are located near the Osmington site. A non-decision appeal has been filed of an Official Plan Amendment application to amend the City's Official Plan and Mount Pleasant Secondary Plan to implement land use designations and policies in order to guide the future development of the subject lands. No Tribunal appearances have been scheduled.

10244 Mississauga Road – Heathwood Homes (Brampton) Ltd. - Application to Amend the Official Plan – OLT-22-002824 (Formerly PL171491) – Ward 6 – Active

These lands comprising 19.4 hectares are located near the Osmington site. A non-decision appeal has been filed of an Official Plan Amendment application to amend the City's Official Plan and Mount Pleasant Secondary Plan to implement land use designations and policies in order to guide the future development of the subject lands. No Tribunal appearances have been scheduled.

Bramalea Mobility Hub – 69 Bramalea Holdings Limited (Medallion) and 75 Bramalea Road (Mac Mor of Canada Ltd.) - Applications to Amend the Official Plan and Zoning By-law – OLT-22-002855 (Formerly PL190557) – Ward 7 – Active

On September 25, 2019, Council adopted the Bramalea Mobility Hub Secondary Plan Area 9 (OPA-173) and six associated zoning by-law amendments. Two appeals were filed with the Tribunal – 1) Medallion appealed the proposed “Mixed Use – Office & Retail” designation for 69 Bramalea Road; and 2) Mac Mor appealed OPA-173 and related zoning by-law 232-2019 on the basis that the two adopted instruments are premature pending a proposed employment lands conversion for 75 Bramalea Road. A settlement hearing was held on March 5, 2021 for the Medallion appeal. The Tribunal proceedings are adjourned pending further direction from the parties regarding the Mac Mor appeal.

1965-1975 Cottrelle Boulevard - Applications to Amend the Official Plan and Zoning By-law – OLT-22-002047 (Formerly PL210289) – Ward 8 – Active

The subject property is located at 1965-1975 Cottrelle Blvd., west of McVean Drive and south of Cottrelle Blvd. with a site area of approximately 1.8 hectares (4.46 acres). Council's refusal to permit the development of a stepped, seven (7) storey condominium apartment building with 72 residential units, two (2) townhouse blocks comprised of twelve (12) residential units per block for a total of twenty-four (24) stacked residential townhouse units has been appealed by the applicant. A multi day hearing was held from February 14-22, 2022. The Tribunal issued its decision on March 23, 2022 that the appeals be allowed in part but withheld its Order pending confirmation regarding site plan submission and receipt of final OPA and ZBLA instruments for approval. Those requirements have been satisfied and the final order is likely to be issued soon.

10785, 10799, 10807 & 10817 McLaughlin Road – Applications to Amend the Official Plan and Zoning By-law – OLT-22-002605 – Ward 2 – Active

The subject lands are located on the east side of McLaughlin Road North, north of Sandalwood Parkway and south of Wanless Drive comprising 4 properties with a total area of 0.70 hectares (1.75 acres). Applications to permit the development of a two multi-storey mid-rise residential apartment buildings (6 and 7 stories), containing a total of 150 one and two bedroom units, at a density of 86 units/acre with 174 parking spaces was filed in December 2020. Applications were appealed to the OLT on the basis of Council non-decisions. A 7 day hearing has been scheduled to commence in May 2023. The owner, City and two residents are parties to the hearing.

30 McLaughlin Road – Applications to Amend the Official Plan and Zoning By-law – OLT-22-003768 – Ward 3 – Concluded

The subject property is located at 30 McLaughlin Road South, northeast corner of McLaughlin Road and Bufford Drive with a site area of approximately 0.73 hectares. Council approved the applicants proposal to permit the development of an 8-storey mixed use apartment building containing approximately 109 residential units with 250 square metres of commercial floor area at grade. On April 28, 2022, approval of the applications was appealed by an area resident with concerns about density and traffic. A 3 day hearing was held from September 14-16, 2022 at which the City and owner defended the appealed instruments with the support of 4 expert witnesses. The Tribunal issued its decision on October 13, 2022 dismissing the appeal. The file is now closed.

12089 Hurontario Street – Applications to Amend the Official Plan and Zoning By-law – OLT-22-003862 – Ward 2 – Concluded

The subject property is located at 12089 Hurontario Street with a site area of approximately 0.39 hectares. Council approved the Applicant's proposal to permit the development of a 9-storey residential development comprised of 205 units and 198 underground parking spaces. Approval of the applications was appealed by a third party on May 16, 2022. The Appellant withdrew its appeal on September 14, 2022. The file is now closed.

25 Kings Cross Road – Applications to Amend the Official Plan and Zoning By-law – OLT-22-004054 – Ward 7 - Concluded

The subject property is located at 25 Kings Cross Road, southwest of the intersection of Kings Cross Road and Kensington Road with a site area of approximately 1.62 hectares. Council approved the Applicant's proposal to permit the development of a 20 storey (232 units) mixed-use building with retail on the first floor and a total of 189 parking spaces (Phase 1) and three buildings consisting of a 22 storey (162 units) mixed-use building with retail on the first floor and two 6 storey residential buildings (47 units each) with a total of 307 parking spaces (Phase 2). Approval of the applications was appealed by a third party on June 20, 2022. The Appellant withdrew its appeal on August 30, 2022. The file is now closed.

6875 and 6889 Mayfield Road – Georgian Mayfield Inc. - Applications to Amend the Official Plan, Zoning By-law and Draft Plan of Subdivision – OLT- 22-004205 - Ward 10 – Active

The subject lands are municipally known as 6875 and 6889 Mayfield Road and located on the south side of Mayfield Road, west of McVean Drive with a site area of 3.24 hectares. The proposed development is for 107 residential units including 84 back-to-back townhouses, 15 conventional townhouses and 8 detached homes. The applicant has appealed to the Tribunal on the basis of a council non-decisions. The first CMC was held on October 19, 2022. A second CMC is scheduled for January 24, 2023

151 Main Street North – Luxor Development Corporation – Applications to Amend the Official Plan and Zoning By-law – OLT-22-004403 – Ward 1 – Active

The subject property is located at 151 Main Street North at the northwest corner of Main Street North and Church Street West with a site area of approximately 0.18 hectares. The proposed development is for a 30-storey mixed-use building containing 361 residential units with 195 parking spaces and at-grade commercial uses. Approval of the applications was appealed by a third party, Canadian National Railway Company on September 7, 2022. To date, the Tribunal has not scheduled any hearings.

Zoning By-law Amendments

10194 Heart Lake Road (Vandyk) - Application to Amend the Zoning By-law and Draft Plan of Subdivision – OLT-22-002192 (Formerly PL171333) – Ward 2 – Active

The subject lands are located on the east side of Heart Lake Road, north of Bovaird Drive East and west of Highway 410. Non-decision appeals have been filed with respect to a zoning by-law amendment and a plan of subdivision proposed for residential redevelopment of 200 units. The applicant, City, TRCA and neighbouring owner reached a settlement. The Tribunal issued its decision on November 24, 2021 but withheld the Final Order pending clearance of conditions.

8331 Heritage Road – Application to Amend the Zoning By-law and proposed Draft Plan of Subdivision – OLT-22-002419 (Formerly PL200603) – Ward 6 – Active

The subject lands are a 38-hectare parcel located on the east side of Heritage Road, approximately 600 m north of Steeles Avenue West. The applicant has filed a non-decision appeal of its site specific zoning and a plan of subdivision application to permit 232 single detached dwellings, a parkette, a school block, a stormwater management block, open space and environmental buffer blocks, future commercial blocks, and a future residential condominium block for 8 single detached units. A hearing scheduled for 14 days beginning October 31, 2022 was cancelled in favour of a settlement hearing held on November 7, 2022. The written decision has not yet issued but the zoning and plan of subdivision were endorsed orally with an agreed upon separation distance of 150m. The parties to this proceeding are the Applicant, City and Maple Lodge Farms.

Casa North Investments Inc., Sandringham Place Inc., Berkinfield Management Inc. & Wolverleigh Construction Ltd. – Application to Amend the Zoning By-law – OLT-21-001510 – Ward 10 - Concluded

The subject lands are located east of Torbram Road, south of Mayfield Road, north of Countryside Drive and west of Airport Road with a site area of approximately 89.5 hectares. The proposed development is to permit 1100 residential dwelling units, portions of two institutional blocks, one convenience retail block, four open space blocks, four wetland compensation areas, three stormwater management ponds, valley lands and buffer blocks. Approval of the application was appealed by a third party on

October 13, 2021. The Appellant withdrew its appeal on January 26, 2022. The file is now closed.

7, 11 and 15 Sun Pac Boulevard – Application to Amend the Zoning By-law – OLT-22-00-4524 - Ward 8 – Active

The subject property is located at 7, 11 and 15 Sun Pac Boulevard which is located on the southeast corner of Sun Pac Boulevard and Williams Parkway and is approximately 1.01 hectares in size. The Appellant is appealing the City initiated zoning by-law amendment 144-2022, which changes the zoning designation of the property to Industrial Four – Section 3663 (M4-3663). The Appellant is specifically concerned with and appealing the resulting change to the property’s parking space requirements, which under Industrial Four – Section 3663 (M4-3663) will now require a minimum of 81 parking spaces, whereas the previous zoning designation required a number of parking spaces based on the gross floor area. To date, the Tribunal has not scheduled any hearings.

Maple Lodge Farms re Ashley (Phase II) Lands – Application to Amend the Zoning By-law - Ward 6 – Active

Maple Lodge Farms (“MLF”) has appealed Council’s approval to re-zone the lands legally described as Block 96 and 97 of Draft Plan 21T-10001B. MLF is specifically appealing Council’s approval to reduce the minimum separation distance from MLF from 450 metres to 285 metres. The appeal was withdrawn on November 8, 2022. The file is now closed.

31-33 George Street North and 18-28 Elizabeth Street North – Application to Amend the Zoning By-law – OLT-22-004628 - Ward 1 – Active

The subject property is located at 31-33 George Street North and 18-28 Elizabeth Street North, on the southeast corner of Elizabeth Street North and Nelson Street West and is approximately 0.6 hectares in size. The proposed development is to permit a 42-storey and 37-storey mixed-use buildings containing 928 residential units, 146 hotel suites with 661 parking spaces and at-grade commercial uses. Approval of the application was appealed by a third party, the LCBO located immediately adjacent to the subject lands at 27 George Street North, on October 21, 2022. To date, the Tribunal has not scheduled any hearings.

Draft Plans of Subdivision/Condominiums

6737 Mayfield Road – Vales of Humber – Draft Plan of Subdivision – OLT-22-002963 (Formerly PL180472) - Ward 10 – Active

Council approved the applicant’s proposal to develop three residential lots for single-detached dwellings and 10 residential reserve blocks that are to be developed for dwellings in conjunction with existing blocks in the adjacent registered plan of

subdivision (43M-1995). A noise buffer block, a street widening block and the completion of Bansbury Circle are also proposed as part of the application. The approval of the application was appealed by a third party on April 17, 2018. A hearing was held on January 26, 2021. The City participated without witnesses. The Tribunal refused to approve the Plan of Subdivision advanced by the Applicant. The Tribunal issued an Order on March 17, 2022 granting the City authority to administer final approval to the draft Plan version approved by the City on December 14, 2016.

Site Plans

709 Queen Street West – PL180260 – Ward 4 – Concluded

The Subject Property is located at the southeast corner of Queen Street West and Drinkwater Road in the City of Brampton. The Site Plan Application is for a proposed gas station and convenience store with a drive through. A contested hearing in respect of this matter took place during two days in December but did not finish. A settlement was reached between the parties before returning to the Tribunal and a settlement hearing was held on January 17, 2019. The Tribunal issued a decision approving the site plan in principle on June 19, 2019 and an Order on October 22, 2019 granting the City authority to administer final approval. The final is now closed.

Interim Control By-law 72-2019 – 10044 Heritage Road – OLT-22-002828 (Formerly PL190280) – Ward 6 – Active

Council adopted an exemption to interim control by-law 306-2003 to facilitate the construction of two decks and a garage. The Province appealed the exemption by-law due to concerns with transportation corridor protection. On July 14, 2020 the Tribunal ordered approval of the portion of By-law 72-2019 permitting the deck and roofed porch but the portion of By-law 72-2019 relating to the garage remains under appeal.

Committee of Adjustment

Consent Application B17-016 - 7875 Mayfield Road – OLT-22-003571 (Formerly PL180076) – Ward 6 – Active

The application seeks to sever an 8.695 hectare parcel into a 1.62 ha lot occupied by an institutional building and 7.06 retained lot proposed to be developed for one single family dwelling. Staff recommended indefinite deferral as the subject lands were within the corridor protection area for the future GTA West Highway. The Committee of Adjustment deferred the application. A hearing has not been scheduled on consent of the parties. The appellant is waiting until the end of 2022 to find out if the Environmental Assessment has been reviewed and approved.

Minor Variance Application and Consent Application A18-028, A18-029, and B18-006 – 52 Marysfield Drive – OLT-22-003588 (Formerly PL180206) – Ward 10 – Active

The application to permit a severed parcel with 34.49 metres of frontage, a depth of 120.40 metres and associated variances to allow for a minimum lot area 0.395 hectares and minimum lot width of 34.49 metres were refused by the Committee of Adjustment. A settlement in principle has been negotiated but a hearing has not been scheduled.

Minor Variance Application and Consent Application A18-026, A18-027 and B18-005 – 66 Marysfield Drive – OLT-22-002636 (Formerly PL180223) – Ward 10 – Concluded

The application to permit a severed parcel with 28.94 metres of frontage, a depth of 159.47 metres and associated variances to allow for a minimum lot area 0.4 hectares and minimum lot width of 28.94 metres were refused by the Committee of Adjustment. A settlement hearing was held on June 29, 2022 and the Tribunal issued its decision on August 31, 2022. The file is now closed.

Minor Variance Application A18-149 – PL180828 and Heritage Permit Application – OLT-22-002833 and OLT-22-002751 (Formerly PL180828 and MM180072) – 7573 Creditview Blvd. – Ward 6 – Concluded

Appeals of minor variance from building area limitation and heritage permit conditions for property located in Churchville conservation district. A settlement hearing was held on June 24, 2022 and the Tribunal issued its decision on August 29, 2022, which was replaced by decision issued September 23, 2022. The file is now closed.

Minor Variance Application A-2021-0031 – 33 Donomore Drive – OLT-22-002874 (Formerly PL210207) – Ward 6 – Concluded

This application for minor variances to permit a below grade entrance and to reduce the combined total width for both interior side yard setbacks was refused by the Committee of Adjustment. The applicant appealed the Committee of Adjustment's refusal on March 29, 2021. A settlement hearing was held on May 17, 2022 and the Tribunal issued its decision on July 12, 2022. The file is now closed.

Minor Variance Application A-2021-0083 – 28 Melanie Drive – OLT-21-001236 – Ward 7 – Concluded

The application for a minor variance to permit 69 parking spaces on site whereas the by-law requires a minimum of 99 parking spaces was refused by the Committee of Adjustment on May 11, 2021. The appellant withdrew its appeal on March 28, 2022. The file is now closed.

Minor Variance Application A-2022-0082 – 0 Goreway Drive – OLT-22-004184 – Ward 8 – Active

The application for minor variance to permit a temporary truck parking/storage lot with no permanent building on the lot was approved (subject to conditions) by the Committee of Adjustment on June 21, 2022. A hearing has been scheduled for December 14, 2022.

Cash-in-Lieu

Application Pursuant to Subsection 42(10) and 42(12) of the Planning Act – 826 Steeles Avenue West – OLT-22-002765 (Formerly MM190018) – Ward 4 - Active

The Owner of the subject property disputes the land value applied by the City in calculating cash-in-lieu of parkland. The cash-in-lieu amount was paid under protest and an appeal filed to the Tribunal. No hearing dates have been set.

Application Pursuant to Subsection 42(10) and 42(12) of the Planning Act – 1-55 Summer Wind Lane – Mattamy (Mount Pleasant North) Limited – OLT-21-001234 - Ward 6 – Active

The Owner of the subject property disputes the land value applied by the City in calculating cash-in-lieu of parkland. The cash-in-lieu amount was paid under protest and an appeal filed to the Tribunal. No hearing dates have been set.

Development Charges

1 Coventry Road – Dancor Construction Limited – Development Charge Complaint – Appeal municipality’s decision regarding a complaint – OLT-22-002663 (Formerly DC200012) – Ward 7 - Active

Council dismissed a complaint with respect to the development charges that were paid under protest for the conversion of an office building into a private school use. The property owner appealed the Council decision to the Tribunal on November 5, 2020. The parties are in settlement discussions. No hearing dates have been set.

Corporate Implications:

Financial Implications:

None.

Other Implications:

None.

Term of Council Priorities:

This report fulfills the Term Council’s priority for a well run City.

Conclusion:

This report summarizes active and concluded Tribunal appeals since December 2021.

Authored by:

Approved by:

Steven Ross, Deputy City Solicitor

Diana Soos, Commissioner of Legislative Services and Interim City Solicitor