

Consolidated Clause in Etobicoke York Community Council Report 6, which was considered by City Council on July 19, 20, 21 and 26, 2005.

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**Status and Directions Report - Ontario Municipal Board
Appeals Official Plan Amendment and Rezoning Application
Applicant: Amexon Holdings Inc. and
Menkes - Lakeshore Ltd. 60-80 Park Lawn Road
and 2200 Lake Shore Boulevard West
(Ward 6 - Etobicoke-Lakeshore)**

City Council on July 19, 20, 21 and 26, 2005, adopted the staff recommendations contained in the Recommendations Section of the confidential report (July 18, 2005) from the Director, Community Planning, Etobicoke York District. The following recommendations, together with Attachments 1, 2 and 3 are now public, and the balance of the report remains confidential, in accordance with the provisions of the Municipal Act, 2001, as it contains information that is subject to solicitor-client privilege:

“It is recommended that:

- (1) City Council authorize the City Solicitor and appropriate staff to appear at the Ontario Municipal Board to oppose the Official Plan amendment and rezoning applications by Menkes Developments Ltd. and Amexon Holdings Inc. for mixed-use development at 2200 Lake Shore Boulevard West, and at 10 and 60-80 Park Lawn Road; and*
- (2) City Council authorize the City Solicitor to retain appropriate outside consultants to appear at the Ontario Municipal Board in support of the City’s opposition to the applications.”*

This Clause, as amended, was adopted by City Council.

Council also considered additional material, which is noted at the end of this Clause.

The Etobicoke York Community Council submits this matter to Council without recommendation.

Action taken by the Committee

The Etobicoke York Community Council:

- (1) requested the Chief Planner and Executive Director, City Planning Division, to report directly to the July 19, 2005 meeting of City Council, to establish the City’s position on

these applications at the upcoming Ontario Municipal Board hearing, in view of the time sensitive nature of this matter; and

- (2) held in camera discussions with staff, in accordance with the *Municipal Act*, because the subject matter relates to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

The Etobicoke York Community Council submits the report (June 20, 2005) from the Director, Community Planning, Etobicoke York District:

Purpose:

To provide a status report regarding the Ontario Municipal Board appeal of Amexon Holdings and Menkes Lakeshore Limited. These applications have been appealed to the Ontario Municipal Board with a hearing date set for October 31, 2005.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

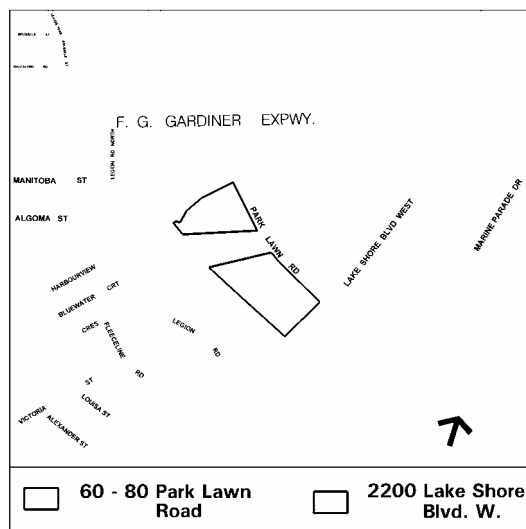
Recommendations:

It is recommended that Etobicoke York Community Council instruct the Chief Planner and Executive Director, City Planning Division to report directly to City Council to establish the City position on these applications at the upcoming Ontario Municipal Board hearing.

Background:

Applications by Stockton/Bush and Amexon Holdings Inc. were submitted in April and October 2002 respectively for lands located on the west side of Park Lawn Road, north of Lake Shore Boulevard West. The Stockton/Bush property was subsequently sold to Menkes Lakeshore Limited. Both applications are for large-scale, mixed use redevelopment projects of approximately 900 units each.

At its meeting of March 18, 2003, Community Council recommended that both applications be deferred and requested the applicants to provide a comprehensive planning analysis within the context of the policies of the Official Plan.



On January 12, 2005 Menkes Lakeshore Limited submitted revised plans in connection with their application. Both applications were subsequently appealed to the Ontario Municipal Board by the applicants.

Comments:

Further to the OMB pre-hearing on this matter, and the Board's Procedural Order dated April 28, 2005 and amended May 13, 2005, the applicants filed the necessary studies and supporting documentation on May 31 and June 15, 2005. Staff are currently reviewing this information. The Procedural Order stipulates a deadline of August 30, 2005 for the City to file its reports.

Staff will have insufficient time to review the filed reports and establish a position prior to the July 5, 2005 meeting of Etobicoke York Community Council. Staff are seeking authority to report directly to the next City Council meeting of July 19, 20, 21 and 26, 2005 to establish a City position for the forthcoming OMB hearing.

Conclusions:

Staff will report directly to City Council on this matter.

Contact:

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The Etobicoke York Community Council also considered a communication (July 5, 2005) from Al Brezina, President, The South Etobicoke Industrial Employers' Association.

The following appeared before the Etobicoke York Community Council:

- Adrian Litavski, Kentridge Johnston Limited;
- Dennis Trinaistich, Barrister and Solicitor; and
- Peter Smith, Bousfield Inc.

City Council – July 19, 20, 21 and 26, 2005

Council also considered the following:

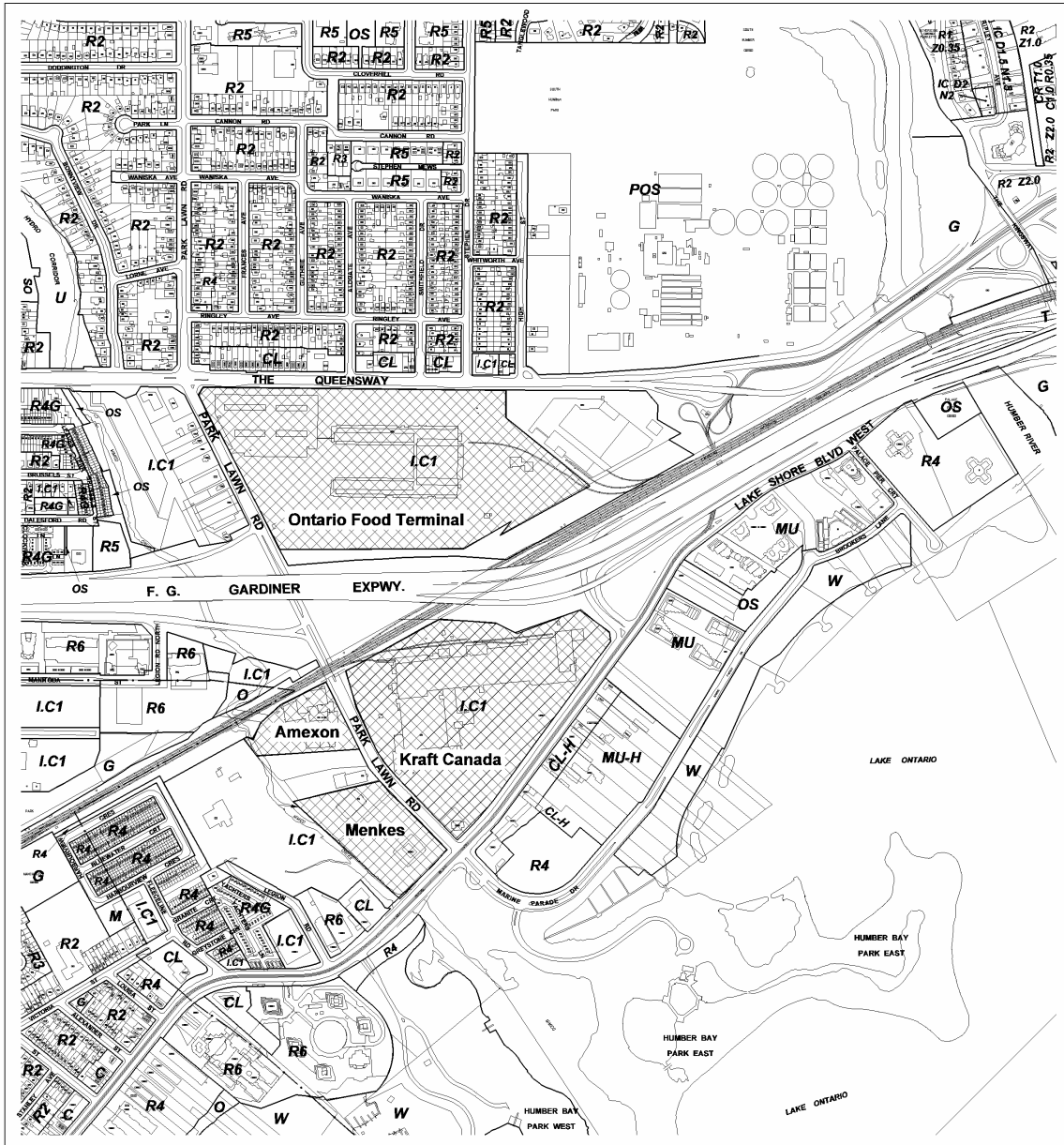
- *Confidential report (July 18, 2005) from the Director, Community Planning, Etobicoke York District [Confidential Communication C.26(a)]. The staff recommendations contained in the Recommendations Section of the report, together with Attachments 1, 2 and 3 to the report, are now public and the balance of the report remains confidential, in accordance with the provisions of the Municipal Act, 2001, as it contains information that is subject to solicitor-client privilege:*

Recommendations:

It is recommended that:

- (1) *City Council authorize the City Solicitor and appropriate staff to appear at the Ontario Municipal Board to oppose the Official Plan amendment and rezoning applications by Menkes Developments Ltd and Amexon Holdings Inc. for mixed-use development at 2200 Lake Shore Boulevard West, and at 10 and 60-80 Park Lawn Road; and*
- (2) *City Council authorize the City Solicitor to retain appropriate outside consultants to appear at the Ontario Municipal Board in support of the City's opposition to the applications.*

Attachment 1 – Zoning



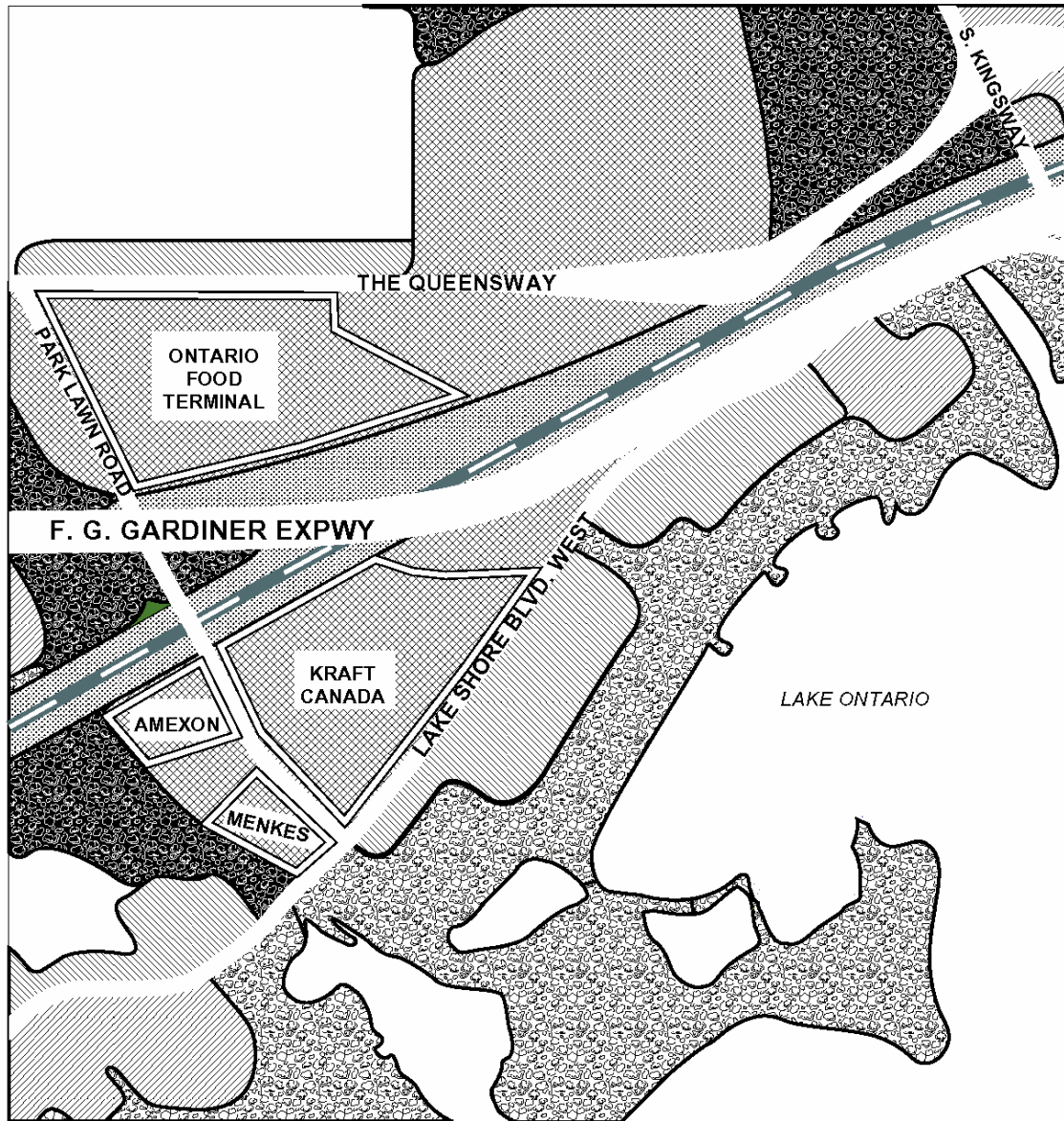
2200 Lake Shore Blvd W., 10 & 60-80 Park Lawn Rd.
 File # TA CMB 2002 0021 & TA CMB 2002 0006

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|--------------------------------------|------------------------|---------------------------------|-------------------------------------|
| Former Etobicoke By-law 11,737 | CL Commercial Limited | Former Mimico By-law 1930 | Former Toronto Zoning By-law 438-86 |
| R2 Residential Second Density | OS Public Open Space | R2 Residential 1, 2, & 3 Family | R2 Residential District |
| R4 Residential Fourth Density | POS Private Open Space | R4 Residential Multiple | CR Mixed-Use District |
| R5 Residential Fifth Density | MU Mixed Use | M Industrial | G Parks District |
| R6 Residential Sixth Density | U Utilities | G Greenbelt | T Industrial District |
| R4G Residential Fourth Density Group | W Waterfront | | IC Industrial District |
| I.C1 Industrial Class 1 | (H) Holding District | | |



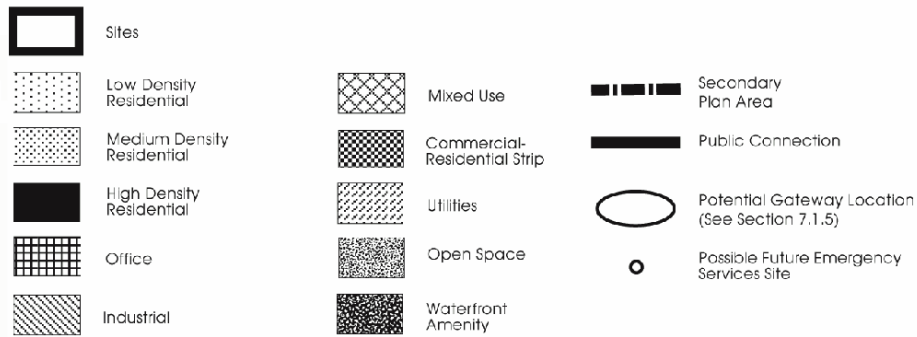
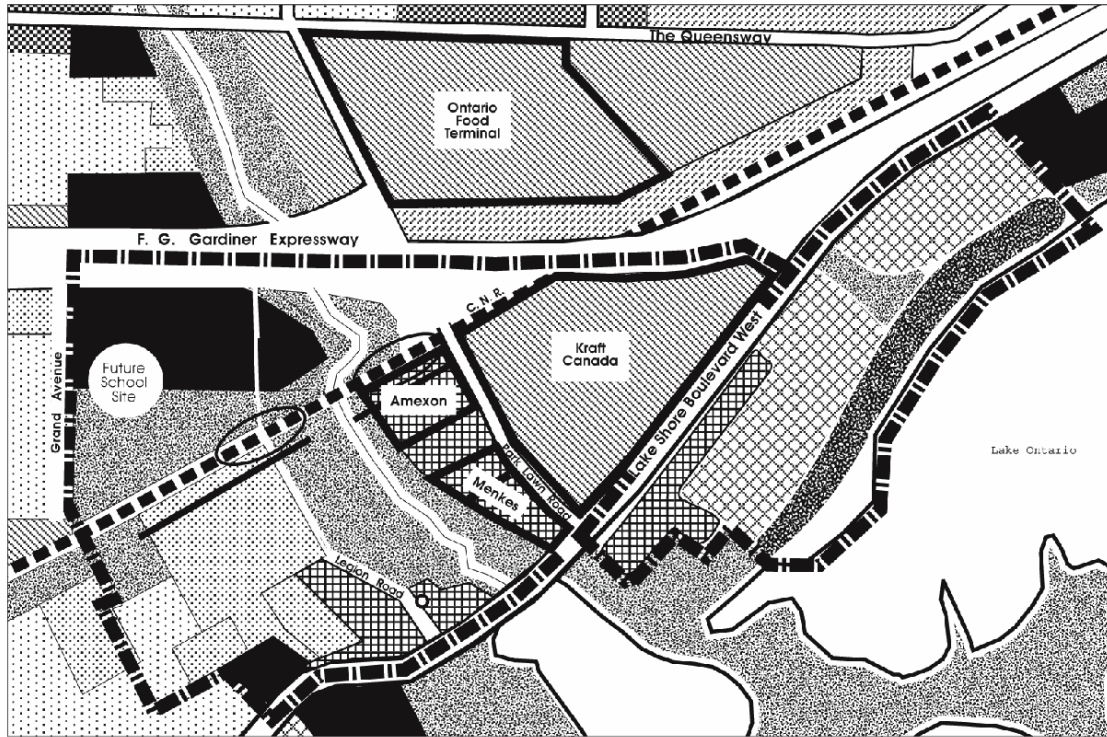
Not to Scale
 Zoning By-law 11,737 as amended
 Extracted 07/13/05 - MH

Attachment 2 – Official Plan - Map 14 Land Use



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|--------------------------|-----------------|-------------------|
| Site | Mixed Use Areas | Employment Areas |
| Neighbourhoods | Natural Areas | Utility Corridors |
| Apartment Neighbourhoods | Parks | |

Attachment 3 – Official Plan – Park Lawn Road/Lake Shore Boulevard
 Land use Plan



2200 Lake Shore Blvd W., 10 & 60-80 Park Lawn Rd.

Official Plan - Schedule 2 Park Lawn Road/ Lake Shore Boulevard Land Use Plan (Secondary Plan)



Not to Scale
 07/14/05

File # TA CMB 2002 0021 & TA CMB 2002 0006