



**STAFF REPORT  
ACTION REQUIRED  
Confidential Attachment**

**620 Avenue Road, 215-217 Lonsdale Road- OMB Hearing**

<b>Date:</b>	November 23, 2009
<b>To:</b>	City Council
<b>From:</b>	City Solicitor
<b>Wards:</b>	Ward 22- St. Paul's
<b>Reason for Confidential Information:</b>	This report is about litigation or potential litigation that affects the City and contains advice or communications that are subject to solicitor-client privilege.
<b>Reference Number:</b>	06 130137 STE 22 OZ & 07 287745 STE 22 SA

**SUMMARY**

---

The City received an application to amend the Official Plan and Zoning By-law on April 28, 2006 for the lands known as 620 Avenue Road, 215 and 217 Lonsdale Road. A related site plan application was submitted on December 18, 2007. The applicants have appealed these applications to the Ontario Municipal Board because of the City's failure to make a decision within the time required by the *Planning Act*.

The applicants proposed to demolish a 5-storey, 44-unit, rental apartment building at 620 Avenue Road; a detached dwelling listed on the City's heritage inventory at 215 Lonsdale Road; and a second detached dwelling at 217 Lonsdale Road. They proposed to construct an 18-storey, 58-unit, residential condominium building with 108 underground parking spaces.

There have been four pre-hearing conferences with a fifth one scheduled for 3 December 2009, on-going mediation and a three-week OMB hearing commencing 8 February 2010.

## **RECOMMENDATIONS**

---

The City Solicitor recommends that:

1. Council adopt the confidential instructions to staff in Attachment 1; and
2. Council authorize the public release of the confidential instructions in Attachment 1 at the end of the Council meeting in the event they are adopted by Council.

## **FINANCIAL IMPACT**

---

The recommendations will have no financial impact beyond what has already been approved in the current year's budget.

## **DECISION HISTORY**

At its meeting of April 29 and 30, 2009, City Council adopted Toronto and East York Community Council report entitled 620 Avenue Road, 215 and 217 Lonsdale Road OPA and Rezoning Application Request for Direction Report. The report can be found at: <http://www.toronto.ca/legdocs/mmis/2009/te/bgrd/backgroundfile-20292.pdf>

## **COMMENTS**

City staff have been in direct negotiations with the applicants and through mediation with the OMB with respect to the issues of rental housing replacement and built form. There have been significant changes in the applicants' position in this matter which should be considered by City Council.

## **CONTACT**

Ray Kallio, Solicitor, Legal Services; tel: 416-397-4063, fax: 416-397-5624;  
Email: [rkallio@toronto.ca](mailto:rkallio@toronto.ca)

## **SIGNATURE**

---

Anna Kinastowski, City Solicitor

## **ATTACHMENTS**

Attachment 1 – Confidential Information