



**STAFF REPORT
ACTION REQUIRED
Confidential Attachment**

2265 – 2279 Bloor Street West and 116 & 240 Durie Street, EY35.11, Request for Direction Official Plan Amendment, Zoning By-law Amendment and Site Plan Control

Date:	December 11, 2014
To:	City Council
From:	City Solicitor
Wards:	Ward 13 – Parkdale – High Park
Reason for Confidential Information:	This report is about litigation or potential litigation that affects the City or one of its agencies, boards, and commissions and this report contains advice or communications that are subject to solicitor-client privilege.
Reference Number:	13 271048 WET 13 OZ and 13 271055 WET 13 RH

SUMMARY

The Ontario Municipal Board (the “OMB”) has set a hearing date for 4 days commencing on Monday, January 6, 2015 to hear the appeal regarding 2265-2279 Bloor Street West and 116 & 220 Durie Street. The applicant has provided the City with a revised proposal that they intend to bring forward at the OMB and further direction from City Council is required in advance of the hearing.

RECOMMENDATIONS

The City Solicitor recommends that:

1. Council adopt the recommendations contained in the Confidential Attachment 1 to this report.
2. The recommendations contained in the Confidential Attachment 1 to this report and the information contained in Appendix "A" be made public at the discretion

of the City Solicitor. All other information contained in the Confidential Attachment 1 is to remain confidential.

FINANCIAL IMPACT

Adopting this report will have no financial impact beyond what has already been approved in the current year's budget.

DECISION HISTORY

At its meeting of August 25, 26, 27 and 28, 2014, City Council considered and adopted item EY35.11, directing the City Solicitor and other City Staff to attend at the OMB in opposition to the Official Plan and Zoning By-law amendment applications for the above-noted properties.

For more detailed Decision History, see the Directions Report dated August 1, 2014 from the Director, Community Planning, Toronto and East York District, at the following link:

<http://www.toronto.ca/legdocs/mmis/2014/ey/bgrd/backgroundfile-72079.pdf>

ISSUE BACKGROUND

Applications to amend the Official Plan and Zoning By-law were submitted on November 27, 2013, proposing to redevelop the lands at 2265-2279 Bloor Street West and 116 & 240 Durie Street with a 9-storey mixed use building comprised of 83 residential dwelling units, 19 of which would be replacement residential rental units. The applicant has also submitted a Rental Housing Demolition and Conversion application under Section 111 of the *City of Toronto Act*.

On May 25, 2014, the Zoning By-law Amendment application was appealed by the applicant to the OMB. On July 14, 2014, the applicant appealed the Official Plan Amendment application to the Ontario Municipal Board and the City Solicitor was subsequently directed to oppose the Official Plan and Zoning By-law amendment applications.

The OMB set a 4-day hearing date commencing on January 6, 2015.

The Site Plan application was appealed and consolidated with the Zoning By-law Amendment and Official Plan Amendment appeal.

The applicant provided the City and area residents with a revised proposal that they intend to bring forward at an OMB hearing commencing on January 6 and further direction on the revised proposal from City Council is required.

COMMENTS

This report is about litigation before the OMB and contains advice or communications that are subject to solicitor-client privilege. The attachment to this report contains confidential information and should be considered by Council in camera.

CONTACT

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SIGNATURE

Anna Kinastowski, City Solicitor

ATTACHMENTS

Attachment 1: Confidential Information