

Interim Direction Report - 95-131 and 155 Balliol Street – Zoning Amendment and Rental Housing Demolition Applications

Date: December 3, 2018
To: City Council
From: City Solicitor
Wards: Ward 12 – St. Paul's

SUMMARY

This report responds to an application for which staff has not been able to bring forward a final planning report requesting directions from Council. This matter is urgent due to a potential legal deadline. If a decision is not made at the December Council meeting, then before the next City Council meeting the matter may be appealed to the Local Planning Appeal Tribunal due to a lack of a decision by City Council in the statutory time frame.

The City Solicitor requires direction to respond to any appeal made prior to the next City Council meeting.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council direct City Staff to continue to work with the applicant to resolve outstanding issues detailed in Schedule "A" attached to this report and report to the appropriate committee in due course.
2. City Council direct the City Solicitor to oppose any appeal of the application, if one is made based on City Council's failure to make a decision within the statutory timeframe set out in the Planning Act, taking a position consistent with the planning analysis set out in Schedule "A" and any further direction from the Chief Planner.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

The application was submitted on June 7, 2018 and deemed complete on August 3, 2018. A Preliminary Report has not yet been provided to Community Council or Council.

COMMENTS

The City Solicitor requires direction on this matter on an urgent basis. Adopting the recommendations in this report will assist the City Solicitor to properly respond if an appeal is made before the next City Council meeting. For this reason I am recommending that City Council instruct the City Solicitor to oppose any appeal for a non-decision made before the next City Council meeting taking a position consistent with the planning analysis set out in Schedule "A" and any further direction from the Chief Planner.

Attached as Schedule "A" is an analysis by City Planning setting out the outstanding issues related to the application and providing an initial determination regarding consistency with the Provincial Policy Statement (2014) and conformity with the Growth Plan for the Greater Golden Horseshoe (2017).

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

Attachment: Schedule "A" - City Planning Analysis