



## REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

### 3005 Bloor Street West and 14 Humbervale Boulevard - Zoning Amendment Application - Request for Further Direction

**Date:** September 23, 2019

**To:** City Council

**From:** City Solicitor

**Wards:** Ward 3 – Etobicoke-Lakeshore

**Planning Application Number:** 17 183044 STE 30 OZ

#### **REASON FOR CONFIDENTIAL INFORMATION**

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This report is about litigation or potential litigation that affects the City or one of its agencies or corporations. This report contains advice or communications that are subject to solicitor-client privilege.

#### **SUMMARY**

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The Owner of the property at 3005 Bloor Street West and 14 Humbervale Boulevard made applications to amend the Official Plan and Zoning By-law to permit an 8-storey mixed use building and a 2-storey single-detached residential dwelling.

The applications were appealed to the Local Planning Appeal Tribunal (LPAT) citing Council's failure to make a decision within the time allotted by the *Planning Act*.

The City Solicitor requires further direction from City Council in advance of an upcoming pre-hearing conference that is scheduled for October 18, 2019.

City Planning has been involved in the preparation of this report.

#### **RECOMMENDATIONS**

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The City Solicitor recommends that:

1. City Council adopt the recommendations contained in Confidential Attachment 1 to this report.
2. City Council authorize the public release of the confidential recommendations contained in Confidential Attachment 1 to this report, if adopted by City Council.
3. City Council direct that all other information contained in Confidential Attachment 1 is to remain confidential at the discretion of the City Solicitor, as it contains advice that is subject to solicitor-client privilege.

## **DECISION HISTORY**

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### **Preliminary Report**

On April 4, 2018, Etobicoke York Community Council deferred consideration of Item EY29.4 to its meeting on June 6, 2018, in order to allow City Planning staff to submit a Request for Directions report in light of appeals having been filed with LPAT. Etobicoke York Community Council's decision can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.TE31.12>

### **Request for Directions Report**

On July 23, City Council considered a Request for Directions Report dated June 28, 2018 and directed the City Solicitor, together with City Planning staff and other appropriate staff, to attend the LPAT hearing to oppose the application for 3005 Bloor Street West and 14 Humbervale Boulevard in its current form. City Council's Decision is found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EY32.14>

A first pre-hearing took place at the LPAT on September 18, 2018 and a second pre-hearing took place on February 20, 2019. A third pre-hearing is scheduled for October 18, 2019.

## **SITE AND SURROUNDING AREA**

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The subject site is generally rectangular in shape with a frontage of approximately 37 metres along Bloor Street West and 52 meters along Humbervale Boulevard, with a total area of approximately 1,935 square metres. The site is currently occupied by a 2-storey commercial building containing a car wash (Kingsway Car Wash) on the ground floor and a boxing gym (Kingsway Boxing Club) on the second storey. There are approximately 21 surface parking spaces with vehicular access being provided from both Bloor Street West and Humbervale Boulevard. A one-storey single detached residential dwelling is located at 14 Humbervale Boulevard. There are no existing trees on the portion of the site at 3005 Bloor Street West. There are 7 existing trees on the portion of the site at 14 Humbervale Boulevard.

North: Bloor Street West and 2-storey street-related commercial and mixed use buildings on the north side of the street.

South: Low-rise residential neighbourhood of 1 to 2-storey detached dwellings.

East: 2-storey street-related commercial and mixed use buildings along Bloor Street West.

West: 6-storey mixed use building at the southeast corner of Royal York Road and Bloor Street West.

## **COMMENTS**

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This report is about litigation before the LPAT and contains advice or communications that are subject to solicitor-client privilege. Confidential Attachments 1, 2 and 3 to this report contain confidential information and should be considered by Council in camera.

## **CONTACT**

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## **SIGNATURE**

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Wendy Walberg  
City Solicitor

## **ATTACHMENTS**

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1. Confidential Attachment 1 - Confidential Recommendations and Confidential Information
2. Confidential Attachment 2 - Confidential Information
3. Confidential Attachment 3 - Confidential Information