



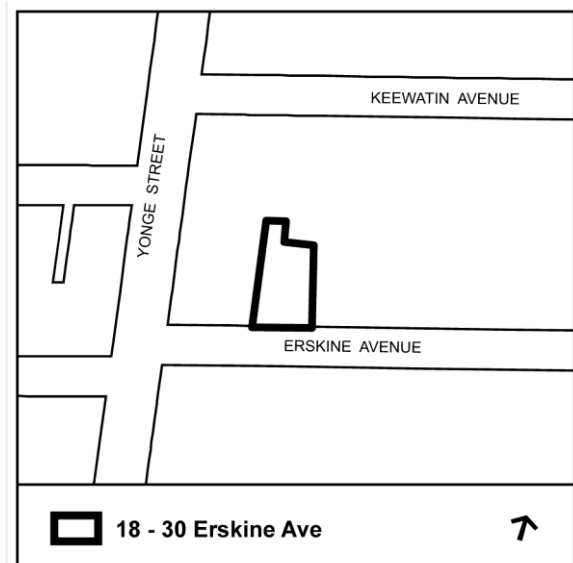
**STAFF REPORT  
ACTION REQUIRED**  
with Confidential Attachment

**18 - 30 Erskine Ave - Zoning By-law Amendment -  
Request for directions regarding the January 6, 2016  
OMB mediation session**

<b>Date:</b>	November 16, 2015
<b>To:</b>	City Council
<b>From:</b>	City Solicitor
<b>Wards:</b>	Ward 25 – Don Valley West
<b>Reason for Confidential Information:</b>	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.
<b>Reference Number:</b>	12 267217 NNY 25 OZ 13 116882 NNY 25 RH

**SUMMARY**

The Ontario Municipal Board (the “OMB”) has set January 6, 2016, for the continuation of a hearing regarding the appeal of a zoning amendment for the site at 18 - 30 Erskine Avenue.



## **RECOMMENDATIONS**

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The City Solicitor recommends that:

1. Council adopt the confidential instructions to staff in Confidential Attachment 1.
2. Council authorize the public release of recommendation 2 of the Confidential Attachment 1, if adopted, with the balance of the Confidential Attachment 1, including Appendix 1 and Appendix 2, 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**

In adopting Item MM8.54, as amended, at its meeting held on July 7, 8 and 9, 2015, City Council gave confidential instructions to the City Solicitor for the August 11, 2015 OMB zoning appeal regarding 18 – 30 Erskine Avenue.

The Decision Document and Report is available at the following web link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.MM8.54>

### **ISSUE BACKGROUND**

This rezoning is for a 35-storey condominium apartment building at 18-30 Erskine Avenue, containing 300 dwelling units with 153 parking spaces. The proposed building height and density would be 109 metres and 14.9 times the lot area, respectively.

The OMB hearing was adjourned to allow for a mediation session over August 13 and 14, 2015. The OMB has now set Wednesday, January 6, 2016 for the continuation of the hearing.

This report for directions is necessary for the upcoming January 6, 2016, OMB hearing.

## **COMMENTS**

As 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**

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Anna Kinastowski, City Solicitor

## **ATTACHMENT**

Attachment 1 - Confidential Information