



**STAFF REPORT
ACTION REQUIRED**
with Confidential Attachment

**11 Lillian Street and 132-142 Soudan Avenue - Zoning
Amendment - Request for Direction Report - OMB**

Date:	December 10, 2015
To:	City Council
From:	City Solicitor
Reason for Confidential Information:	This report contains advice/communications that are subject to solicitor-client privilege. This report contains information regarding potential litigation.
Wards:	Ward 6 – Etobicoke - Lake Shore
Reference Number:	07 103514 STE 30 TM

SUMMARY

A zoning amendment application for a 14 storey residential building with townhouse units at 11 Lillian Street & 132-142 Soudan Avenue was approved by Council earlier this year after a lengthy and co-operative planning process. Council enacted the applicable zoning amendment by-laws. The landowners of a semi-detached dwelling immediately north of the site appealed the by-laws to the Ontario Municipal Board. To better facilitate potential resolution of the appeal, the owner also filed a “friendly” appeal. Further direction is needed from City Council on this matter.

City Planning has been involved in preparation of this report.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council consider Confidential Attachment 1 and adopt such Recommendation set out therein as is determined appropriate;
2. Only the Recommendation in Confidential Attachment 1 to this report that is adopted by Council be made public and the information contained in Appendix

"A" and "B" of Confidential Attachment 1 be made public only if Council adopts Recommendation 1 of Confidential Attachment 1; and

3. Except as provided in Recommendation 2 above, all other information contained in Confidential Attachment 1 is to remain confidential.

Financial Impact

There are no financial implications resulting from the adoption of this report.

Decision History

City Council approved the Zoning Amendment Application relating to 11 Lillian Street and 132-142 Soudan Avenue at its meeting June 10, 11 & 12, 2015 by adoption of Item TE4.6. By-laws 809-2015 and 810-2015 were enacted. The link to the Final Report is as follows:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE4.6>

COMMENTS

The owners of an adjacent semi-detached dwelling at 15 & 17 Lillian Street appealed the by-laws permitting development of a 14 storey residential building and at-grade townhouse units at 11 Lillian Street and 132-142 Soudan Avenue. Amongst other matters, their letter of appeal raised issues relating to transition to their site, setback and stepback from adjacent streets, adherence to City's Tall Building Design Guidelines and conformity with Official Plan Policies and the Midtown in Focus Parks, Open Space and Streetscape Plan. A primary basis of their appeal included that the original proposal adversely impacts the future development potential of their lands given an existing 10 storey building immediately to the north and the proposed 14 storey building to the south.

Further Council instruction is required for the purpose of attendance at the Ontario Municipal Board.

CONTACT

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SIGNATURE

Anna Kinastowski, City Solicitor

ATTACHMENTS

Attachment 1 – Confidential Information