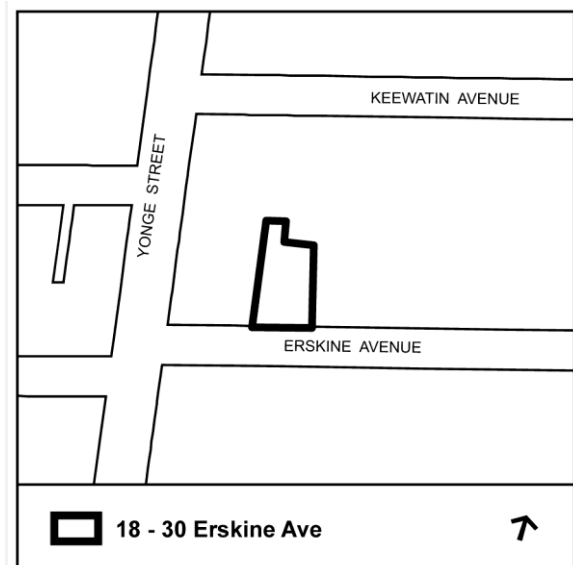


**18 - 30 Erskine Ave - Zoning By-law Amendment -  
Request for directions regarding the August 11, 2015  
OMB hearing**

<b>Date:</b>	July 9, 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 a four day hearing commencing August 11, 2015, for the appeal of a zoning amendment for the site at 18 - 30 Erskine Avenue, which has resulted in the need for directions from City Council.



## **RECOMMENDATIONS**

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The City Solicitor recommends that:

1. Council adopt the confidential instructions to staff in Attachment 1.

### **Financial Impact**

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

### **DECISION HISTORY**

On January 22, 2013 North York Community Council had before it a Preliminary Report from the Director, Community Planning, North York District. The report provided background information on the proposal and recommended that a community consultation meeting be scheduled with the Ward Councillor and that notice for the public meeting be given according to the regulations of the *Planning Act*. Community Council adopted the staff recommendations and directed that the notice area for the community consultation meeting be expanded beyond the 120m radius of the site.

The Decision Document and Preliminary Report is available at the following web link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.NY21.48>

On April 21, 2015 the owner appealed the Zoning By-law Amendment application to the Ontario Municipal Board citing City Council's failure to make a decision within the prescribed time frames set out in the *Planning Act*. The hearing is scheduled for 4 days beginning August 11, 2015.

City Council has made no further decision on this matter.

### **ISSUE BACKGROUND**

This a rezoning application to permit the construction of a 35-storey condominium apartment building at 18-30 Erskine Avenue. The building would contain 300 dwelling units comprising 240 one-bedroom units and 60 two-bedroom units. A total of 153 parking spaces are proposed, including 6 tandem spaces together with 200 bicycle parking spaces. The parking spaces would be provided on 8 levels: 4 below grade (75 spaces) and 4 above grade (78 spaces) within the base of the building. The proposed building height and density would be 109 metres and 14.9 times the lot area, respectively.

This report for directions is necessary for the upcoming August 11, 2015, 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**

Stephen M. Bradley, Solicitor, Planning & Administrative Law, Legal Services  
Tel: (416) 392-7790; Fax: (416) 397-5624; Email: [sbradley@toronto.ca](mailto:sbradley@toronto.ca)

## **SIGNATURE**

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Anna Kinastowski, City Solicitor

## **ATTACHMENT**

Attachment 1 - Confidential Information