



**STAFF REPORT
ACTION REQUIRED**
with Confidential Attachment

**Eglinton Connects Planning Study - Eglinton Crosstown
LRT Corridor – OMB Hearing – Request for Directions**

Date:	July 4, 2016
To:	City Council
From:	City Solicitor
Wards:	Wards 11, 12, 15, 16, 17, 21, 22, 25, 26, 34, 35, 37
Reason for Confidential Information:	This report is about litigation that affects the City and contains advice or communications that are subject to solicitor-client privilege.
Reference Number:	

SUMMARY

The City has passed an OPA (OPA 253) and zoning by-laws (1030-2014 and 1031-2014) to establish policies and zoning standards for development associated with the Eglinton Crosstown LRT Corridor, generally in the vicinity of Eglinton Avenue West from Jane Street through to Eglinton Avenue East at Laird Drive. These have been appealed to the Ontario Municipal Board by a number of parties. The OMB has set a prehearing for July 26, 2016, with a three week hearing from November 21 to December 9, 2016. The City Solicitor requires directions for the July 26, 2016 OMB prehearing.

RECOMMENDATIONS

The City Solicitor recommends that:

1. Council adopt the recommendation contained in Confidential Attachment 1 to this report.
2. Council authorize the public release of the recommendation contained in Confidential Attachment 1, if adopted, and the release of Appendix A and Appendix B to Attachment 1, at the discretion of the City Solicitor, with the remainder of Attachment 1 to remain confidential.

Financial Impact

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

DECISION HISTORY

At its meeting of May 6-8, 2014, City Council considered the Final Directions Report for the Eglinton Connects Planning Study. City Council adopted 21 recommendations under the themes of Travelling, Greening and Building Eglinton, directed staff to undertake further consultation on implementation measures, and report back to the Planning and Growth Management Committee in June. The decision of City Council can be viewed at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PG32.4>

The Final Directions Report on the Planning Study was considered together with reports on the "Eglinton Connects – Environmental Assessment Study" and the "Metrolinx Rapid Transit Program – Allocation of the Public Realm Amount". Both of these reports were also adopted by City Council. The decision of City Council can be viewed at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PW30.7>
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.EX41.2>

The Phase 1 (Part 1) Implementation Report for the Eglinton Connects Planning Study was considered by City Council at its meeting of July 8-9, 2014. City Council adopted an Official Plan Amendment (OPA 253) that included changes to land use designations and various Site and Area Specific Policies regarding laneways and future development at three Focus Areas. City Council also adopted two resolutions regarding implementation of the Streetscape Plan and a *Special Study Areas* land use designation for the Maintenance and Storage Facility (MSF) lands. The decision of City Council can be viewed at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PG34.1>

At its meeting of August 25-28, 2014, City Council considered the Phase 1 (Part 2) Implementation Report for the Eglinton Connects Planning Study. City Council adopted its recommendations with amendments. The decision of City Council can be viewed at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PG35.3>

That City Council decision on August 25-28, 2014, resulted in the enactment of Site-specific Zoning By-laws Nos. 1030-2014 and 1031-2014 for the Eglinton Crosstown LRT Corridor. Zoning By-law No. 1030-2014 amends the current City of Toronto Zoning By-law No. 569-2013, by establishing development standards, mid-rise and other Urban Design provisions for lands abutting Eglinton Avenue West and Eglinton Avenue East between Jane Street and Kennedy Road. Whereas, Zoning By-law No. 1031-2014 amends Zoning By-law No. 569-2013 for the City of Toronto, Zoning By-law No. 438-86 for the former City of Toronto, Zoning By-law No. 1916 for the former Town of Leaside and Zoning By-law No. 1-83 for the former City of York, by establishing regulations for

buildings that are used for the operation of a transit system along Eglinton Avenue West and Eglinton Avenue East. Both Zoning By-laws were appeal to the Ontario Municipal Board.

COMMENTS

The City Solicitor requires directions on a number of matters to be addressed at the Ontario Municipal Board prehearing on July 26, 2016, which pertain to the conduct of the three week hearing set for November 21 to December 9, 2016. As this report is about litigation before the Ontario Municipal Board and contains advice or communications that are subject to solicitor-client privilege. Attachment 1 to this report and its associated Appendix A and Appendix B, each contain confidential information.

CONTACT

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SIGNATURE

Brian Haley, Interim City Solicitor

ATTACHMENTS

Confidential Attachment 1 - Confidential Information
Appendix A to Attachment 1 – Confidential Information
Appendix B to Attachment 1 – Confidential Information