



**STAFF REPORT  
ACTION REQUIRED  
with Confidential Attachment**

**75, 77 and 83 Mutual Street- Zoning By-law Amendment  
Application – Request for Direction Report**

<b>Date:</b>	July 7, 2016
<b>To:</b>	City Council
<b>From:</b>	City Solicitor
<b>Wards:</b>	Ward 27- Toronto Centre- Rosedale
<b>Reason for Confidential Information:</b>	This report contains advice or communications that are subject to solicitor-client privilege
<b>Reference Number:</b>	14 183553 STE 27 OZ (Zoning By-law Amendment) 14 183555 STE 27 RH (Rental Housing Demolition and Conversion)

**SUMMARY**

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This application proposes to amend the Zoning By-law to permit a 38-storey mixed-use building consisting of 344 dwelling units, of which 22 are rental replacement units. The application also proposes to expand the 2.5-storey converted office building at 73 Mutual Street to a 4-storey building.

The purpose of this report is to seek further instructions for the Ontario Municipal Board ("OMB") hearing which is scheduled to commence September 26, 2016.

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 in Confidential Attachment 1;
2. City Council authorize the public release, at the end of the Council meeting, of the Confidential Recommendations in Attachment 1, including Appendices "A", "B" and "C", if adopted by City Council. All other information contained in the Confidential Attachment 1 is to remain confidential.

## **Financial Impact**

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

## **DECISION HISTORY**

At its meeting on December 9, 2015, City Council adopted the recommendations of the Direction Report dated October 15, 2015 for the above-noted application. The Direction Report is available on the City's website at:

<http://www.toronto.ca/legdocs/mmis/2015/te/bgrd/backgroundfile-85111.pdf>.

On September 4, 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*. A hearing is scheduled for 7 days beginning September 26, 2016.

A Rental Housing Demolition and Conversion Application, file no. 14 183555 STE 27 RH, was submitted under Section 111 of the *City of Toronto Act* to demolish 22 rental housing units at 77 Mutual Street pursuant to Chapter 667 of the Toronto Municipal Code and was reviewed concurrently with the Zoning By-law Amendment application. The City's decision on the Rental Demolition application is not subject to an appeal to the OMB.

## **ISSUE BACKGROUND**

Further information has been received which has resulted in the need for directions from Council.

## **COMMENTS**

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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Brian Haley, Interim City Solicitor

## **ATTACHMENTS**

Attachment 1 – Confidential Information