

215-229 Church Street and 117 Dundas Street East - OMB Prehearing- Request for Direction

Date: January, 24, 2017

To: City Council

From: City Solicitor

Wards: Ward 28 Toronto Centre-Rosedale

SUMMARY

The owners of 215-229 Church Street and 117 Dundas Street East have appealed their Zoning By-law Amendment application to the Ontario Municipal Board ("OMB") due to a lack of decision by the City within the statutory timeframe.

At its meeting of May 3, 4 and 5, 2016, Council authorized the City Solicitor, together with City Planning staff and any other appropriate staff to, among other matters, attend the Ontario Municipal Board hearing to oppose the appeal; authorized City staff to continue discussions with the applicant in order to come to an agreement on an appropriate built form that, among other things, ensures the tower including accommodations for construction does not intrude into the St. Michael's Hospital helicopter flight path; and to secure appropriate Section 37 community benefits to the satisfaction of the Chief Planner and Executive Director, City Planning.

Prehearing conferences were held by the OMB on July 6, 2016 and October 13, 2016 and the OMB hearing is scheduled for 5 days commencing May 1, 2017. A further prehearing conference is scheduled for February 8, 2017. This report seeks authority for the City Solicitor to submit a report directly to City Council at its meeting commencing January 31, 2016 for further instructions on this matter.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council consider a forthcoming report on a request for further direction on this matter submitted directly to City Council at its meeting commencing January 31, 2017.

FINANCIAL IMPACT

No financial impact.

DECISION HISTORY

At its meeting of May 3, 4 and 5, 2016, Council authorized the City Solicitor, together with City Planning staff and any other appropriate staff to, among other matters, attend the Ontario Municipal Board hearing to oppose the appeal; authorized City staff to continue discussions with the applicant in order to come to an agreement on an appropriate built form that, among other things, ensures the tower including accommodations for construction does not intrude into the St. Michael's Hospital helicopter flight path; and to secure appropriate Section 37 community benefits to the satisfaction of the Chief Planner and Executive Director, City Planning.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE15.9>

COMMENTS

The City Solicitor requires further direction on this matter.

CONTACT

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SIGNATURE

Brian Haley
Interim City Solicitor