

**3049-3051 Bayview Avenue and 2 Blithfield Avenue -
OMB Appeal - Request for Direction**

Date: January 27, 2017
To: City Council
From: City Solicitor
Wards: Ward 24 - Willowdale

REASON FOR CONFIDENTIAL INFORMATION

This report contains advice or communications that are subject to solicitor-client privilege.

SUMMARY

An application has been submitted to amend the Official Plan and the Zoning By-law for the lands at 3049-3051 Bayview Avenue and 2 Blithfield Avenue to permit 11 four-storey townhouse units fronting onto Bayview Avenue. The proposed gross floor area is approximately 2,798 square metres, with a floor space index of 1.58. A total of 25 parking spaces are proposed, 22 of which would be resident parking spaces located in an integral garage. The remaining 3 would be visitor parking spaces located at grade along the eastern edge of the site. Access to the site would be provided from a private driveway off of Blithfield Avenue.

The owner of 3049 through 3051 Bayview Avenue and 2 Blithfield Avenue has appealed its Official Plan and Zoning By-law Amendment applications to the Ontario Municipal Board. A two day hearing is scheduled to commence on May 8, 2017. The City Solicitor must seek further direction on this matter no later than the City Council meeting commencing on January 31, 2017.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the confidential instructions to staff in Confidential Attachment 1.
2. If the City Solicitor's confidential recommendation is adopted by Council, then City Council authorize the public release of:
 - a. the recommendation contained in Confidential Attachment 1 (with the remainder of Confidential Attachment 1 to remain confidential as it contains information that is subject to solicitor-client privilege),
 - b. all of Confidential Attachment 2 and
 - c. all of Confidential Attachment 3.

FINANCIAL IMPACT

There is no financial impact arising from the adoption of the confidential recommendation.

DECISION HISTORY

On February 23, 2016 North York Community Council considered the Preliminary Report from the Director, Community Planning, North York District, and adopted its recommendations. The report can be accessed at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.NY12.29>

COMMENTS

The City Solicitor requires further direction in anticipation of an Ontario Municipal Board hearing scheduled for May 8-9, 2017.

CONTACT

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SIGNATURE

Brian Haley
Interim City Solicitor

ATTACHMENTS

Confidential Attachment 1 - Confidential Report from the City Solicitor
Confidential Attachment 2 - Correspondence dated January 25, 2017 from Goodmans
LLP
Confidential Attachment 3 - Plans with revision date January 25, 2017