

**701-713 Soudan Avenue, 1674-1684 Bayview Avenue
and 720 Hillside Avenue East – Official Plan
Amendment, Zoning By-law Amendment, Rental
Housing Demolition, and Site Plan Control
Applications**

Date: March 1, 2017
To: City Council
From: City Solicitor
Wards: Ward 21 - St Paul's

REASON FOR CONFIDENTIAL INFORMATION

This report is about litigation or potential litigation that affects the City or one of its agencies or corporations.

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

SUMMARY

Official Plan Amendment, Zoning By-law Amendment, Rental Housing Demolition, and Site Plan Control applications were submitted for these lands, seeking permission for a 7-storey (25.1 metres, plus 5.1 metres mechanical penthouse) mixed-use building. The applicant appealed the Official Plan Amendment, Zoning By-law Amendment and Site Plan Control applications to the Ontario Municipal Board (OMB) on June 16, 2016 due to Council's failure to make a decision with respect to the applications within the time prescribed by the Planning Act.

At its meeting of January 31, 2017, Council authorized the City Solicitor together with appropriate staff to, attend the Ontario Municipal Board hearing to among other matters, oppose the appeals; in the event an appeal was allowed in whole or in part, to secure the replacement rental dwelling units, rents, tenant assistance and any other rental

related matters at least in conformity to Section 3.2.1.6 of the Official Plan and other appropriate section 37 matters to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor.

The OMB scheduled a 3-day hearing commencing March 1, 2017. This report seeks further direction on this matter.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the confidential instructions to staff in Confidential Attachment 1.
2. City Council authorize the public release of the instructions in Confidential Attachment 1 to the report (March 1, 2017) from the City Solicitor (including Appendix A), if adopted by City Council, and City Council direct that the balance of the Confidential Attachment 1 to the report (March 1, 2017) from the City Solicitor remain confidential.

FINANCIAL IMPACT

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

DECISION HISTORY

At its meeting of January 31, 2017, Council authorized the City Solicitor together with appropriate staff to, attend the Ontario Municipal Board hearing to among other matters, oppose the appeals; in the event an appeal was allowed in whole or in part, to secure the replacement rental dwelling units, rents, tenant assistance and any other rental related matters at least in conformity to Section 3.2.1.6 of the Official Plan and other appropriate section 37 benefits to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE21.6>

Staff have continued discussions with the proponent.

COMMENTS

This report is about litigation 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

Wendy Walberg
City Solicitor

ATTACHMENTS

Confidential Attachment 1 - Confidential Information and Recommendations