

## **2619 Bayview Avenue and 6 Heathcote Avenue (Formerly known as 2617 Bayview Avenue) - OMB Appeal - Request for Direction**

**Date:** March 17, 2017

**To:** City Council

**From:** City Solicitor

**Wards:** Ward 25 - Don Valley West

### **REASON FOR CONFIDENTIAL INFORMATION**

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

### **SUMMARY**

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An application was submitted to amend the Zoning By-law for the lands at 2619 Bayview Avenue and 6 Heathcote Avenue (formerly known as 2617 Bayview Avenue) to permit the construction of six three-storey townhouse units and one two-storey single family detached dwelling. The application was appealed to the Ontario Municipal Board (OMB) for Council's failure to make a decision on the application within the prescribed timelines in the *Planning Act*. A hearing date has not yet been scheduled at the OMB.

The City Solicitor seeks direction on this matter no later than the completion of the City Council meeting on March 28, 2017.

### **RECOMMENDATIONS**

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The City Solicitor recommends that:

1. City Council adopt the confidential recommendations in Confidential Attachment 1.
2. If the City Solicitor's confidential recommendations are adopted by Council, then City Council authorize the public release of the recommendations contained in Confidential 2619 Bayview Avenue and 6 Heathcote Avenue (Formerly known as 2617 Bayview Avenue) - OMB Appeal - Request for Direction

Attachment 1 with the remainder of Confidential Attachment 1 and Confidential Attachment 2 to remain confidential as it contains information that is subject to solicitor-client privilege.

## **FINANCIAL IMPACT**

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

## **DECISION HISTORY**

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On September 12, 2016, North York Community Council adopted Item NY16.32, the Zoning Amendment Application Preliminary Report from the Director of Community Planning, North York District, dated August 17, 2016, directing City Planning to schedule a community consultation meeting.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.NY16.32>

## **COMMENTS**

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The City Solicitor requires direction in this matter prior to the conclusion of the March 9, 2017 meeting of City Council.

## **CONTACT**

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## **SIGNATURE**

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Wendy Walberg  
City Solicitor

## **ATTACHMENTS**

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Confidential Attachment 1 - Confidential Report from the City Solicitor  
Confidential Attachment 2 - Confidential Information

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