



## **REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT**

### **2650-2672 St. Clair Avenue West - Appeal of OPA 231 - OMB Hearing**

**Date:** November 24, 2017

**To:** City Council

**From:** City Solicitor

**Wards:** All

#### **REASON FOR CONFIDENTIAL INFORMATION**

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This report is about litigation or potential litigation that affects the City or one of its agencies or corporations and contains advice subject to solicitor-client privilege.

#### **SUMMARY**

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Dunpar Development Holdings Inc. (Dunpar) has appealed Official Plan Amendment 231 (OPA 231) to the Ontario Municipal Board (OMB). City Council adopted OPA 231 policies for the entire city following the Five-Year Official Plan and Municipal Comprehensive Reviews regarding employment lands. The City Solicitor requires further directions for an upcoming OMB pre-hearing conference.

#### **RECOMMENDATIONS**

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The City Solicitor recommends that:

1. City Council adopt the confidential instructions to staff in Confidential Attachment 1.
2. If the confidential instructions in Confidential Attachment 1 are adopted, City Council authorize the public release of:
  - a. the recommendations contained in the Confidential Attachment 1, with the remainder of the Confidential Attachment 1 to remain confidential, as it contains advice subject to solicitor-client privilege; and
  - b. Confidential Attachment 2.

#### **FINANCIAL IMPACT**

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There is no financial impact arising from the above recommendations.

## DECISION HISTORY

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At its meeting on December 16, 17 and 18, 2013, City Council adopted OPA 231 with respect to the economic health policies and the policies, designations and mapping for *Employment Areas* following the Five-Year Official Plan and Municipal Comprehensive Reviews regarding employment lands. The Minister approved the majority of OPA 231 with some modifications in July 2014. The City's and Minister's decisions can be accessed at these links:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG28.2>

<http://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/SIPA/Files/pdf/O/ministers%20decision%20on%20opa%20231.pdf>

The OMB received a total of 178 appeals to OPA 231, including an appeal by Dunpar on June 29, 2014. The Board granted Dunpar party status by decision issued June 3, 2015.

The OMB has issued two Orders partially approving OPA 231. The December 2016 Order brought into force the *Core Employment Areas* and *General Employment Areas* designations, except for sites under appeal and regarding particular uses that remain contested.

## COMMENTS

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Although under appeal, 2650-2672 St. Clair Avenue West is designated *General Employment Areas* in OPA 231. This designation generally applies to lands located on the periphery of *Employment Areas* on major roads. Permitted uses include all uses permitted within *Core Employment Areas* as well as retail, service, and restaurant uses with the intent that they serve workers in the *Employment Area* and would also benefit from visibility and transit access to draw the broader public.

2650-2672 St. Clair Avenue West is located on the north side of St. Clair Avenue West east of Scarlett Road and west of Jane Street. St. Clair Avenue West is a Major Street in Map 3 of the Official Plan and has a planned right-of-way width of 27 metres.

Together, the properties have a frontage of approximately 198 metres on St. Clair Avenue West and a total area of approximately 1.94 hectares.

The site was formerly occupied by the retailer Danier Leather and accommodated an 11,700 square metre manufacturing, office, and retail building. In 2016 and 2017, the rear portion of the building was demolished. The 2-storey component of the building, which fronts St. Clair Avenue West, was retained. It is approximately 7,270 square metres in size and is currently undergoing exterior renovations.

No development applications have been submitted for this property.

This report requests direction from City Council for a January 5, 2018 PHC scheduled by the OMB.

## **CONTACT**

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## **SIGNATURE**

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Wendy Walberg  
City Solicitor

## **ATTACHMENTS**

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Confidential Attachment 1 - Confidential Instructions to Staff and Confidential Advice  
Subject to Solicitor-Client Privilege

Confidential Attachment 2 - Confidential Information