

350, 370 and 390 Queens Quay West - OMB Appeal - Request for Direction

Date: December 1, 2017

To: City Council

From: City Solicitor

Wards: Ward 20 - Trinity Spadina

REASON FOR CONFIDENTIAL INFORMATION

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

SUMMARY

An application was submitted to amend the Official Plan and Zoning By-law for the lands at 350, 370 and 390 Queens Quay West in order to construct a new 29-storey tower including a 5-storey base building (105 metres, including mechanical penthouse) in place of an existing 3-storey mixed-use building at 370 Queens Quay West, and to construct an addition to the north side of each of the two existing 21-storey towers at 350 and 390 Queens Quay West. 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*, and a 13-day hearing is scheduled to commence on February 12, 2018.

The parties to the hearing requested to mediate this appeal at the OMB and mediation sessions were held on November 10 and 21, 2017. As a result of the mediation the City Solicitor seeks further direction on this matter no later than the completion of the City Council meeting commencing on December 5, 2017.

RECOMMENDATIONS

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 Attachment 1 and the information contained in Appendix "A" (with the remainder of Confidential Attachment 1 to remain confidential as it contains information that is subject to solicitor-client privilege).

FINANCIAL IMPACT

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

DECISION HISTORY

A minor variance application was approved by the Committee of Adjustment for this property on October 9, 2014. The application proposed the conversion of existing storage space into 15 new residential units and a re-organizing of existing interior spaces, which would lead to an increase in office and residential space. Variances were also requested for the required parking spaces.

At its meeting on May 10, 2016, Toronto and East York Community Council considered a Preliminary Report from the Director, Community Planning, Toronto and East York District (dated April 22, 2016) for the proposed Official Plan amendment and Zoning By-law amendment at 350, 370 and 390 Queens Quay West. A link to the Community Council direction and the report can be found below:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE16.31>

At its meeting on March 9, 2017, Council adopted the Recommendations in a Request for Direction Report from the Director, Community Planning, Toronto and East York District (dated February 2, 2017), opposing the proposed Official Plan amendment and Zoning By-law amendment applications for 350, 370 and 390 Queens Quay West. A link to the Council direction and report can be found below:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE22.13>

COMMENTS

Following mediation sessions held at the OMB on November 10 and 21, 2017, the City Solicitor requires further direction in this matter prior to the conclusion of the December 5, 2017 meeting of City Council.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

Confidential Attachment 1 - Confidential Report from the City Solicitor