

203 Jarvis Street- Zoning By-law Amendment Application- Request for Direction Report

Date: January 19, 2018

To: City Council

From: City Solicitor

Wards: Ward 27

REASON FOR CONFIDENTIAL INFORMATION

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

SUMMARY

This application proposes to redevelop the site at 203 Jarvis Street with a 35-storey mixed-use tower. The project is proposed to contain 241 hotel units and 222 dwelling units with a total gross floor area of 23,227 square metres. The proposed building would have a height of 112.72 metres including the mechanical penthouse. The proposal also includes five levels of underground parking which would be used for vehicles and bicycles.

The owner of the site at 203 Jarvis Street has appealed its Zoning By-law Amendment application to the Ontario Municipal Board ("OMB") citing Council's failure to make a decision within the time required by the *Planning Act*. The purpose of this report is to seek further instructions for the Ontario Municipal Board ("OMB") hearing which is scheduled to commence March 12, 2018. City Planning and Heritage Preservation Services have been involved in the preparation of this report.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the confidential recommendations in Confidential Attachment 1.

2. City Council authorize the public release of the confidential recommendations in Confidential Attachment 1 and Appendix A, if adopted by City Council.
3. City Council direct that all other information contained in Confidential Attachment 1 is to remain confidential as it contains advice which is subject to solicitor-client privilege.

FINANCIAL IMPACT

There is no financial impact.

DECISION HISTORY

At its meeting of October 2, 3 and 4, 2017, City Council adopted the recommendations of the Direction Report, a copy of which is available on the City's website at:

<http://www.toronto.ca/legdocs/mmis/2017/te/bgrd/backgroundfile-106115.pdf>

The owner appealed the zoning by-law amendment application to the OMB citing City Council's failure to make a decision within the prescribed time frames set out in the *Planning Act*.

COMMENTS

This report is about litigation before the OMB 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.

Further Council instruction is required for the purpose of attendance at the OMB.

CONTACT

Ray Kallio, Solicitor, Planning and Administrative Law, Tel. 416-397-4063, Fax 416-397-5624, Ray.Kallio@toronto.ca

SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

Confidential Attachment 1.

Appendix "A" - Confidential Information