



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

2706, 2708, 2710, 2720, and 2730 Dundas Street West - Zoning Amendment Application - Request for Directions Report

Date: July 17, 2018

To: City Council

From: City Solicitor

Wards: 14 - Parkdale-High Park

REASON FOR CONFIDENTIAL INFORMATION

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

SUMMARY

The purpose of this report is to seek instruction for a Local Planning Appeal Tribunal appeal on the above-noted municipal addresses.

RECOMMENDATIONS

The City Solicitor recommends that:

1. Council adopt the recommendations contained in the Confidential Attachment 1 to this report; and
2. The recommendations contained in the Confidential Attachment 1 to this report and Schedule "A", Schedule "B" and Schedule "C" to the Confidential Attachment 1 be made public at such time as Council adopts the recommendations. All other information contained in the Confidential Attachment 1 is to remain confidential, as it contains advice subject to Solicitor-Client privilege.

FINANCIAL IMPACT

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

DECISION HISTORY

On August 2, 2017 an application was submitted for a 12-storey (45.03 metres including a 5-metre mechanical penthouse) mixed-use building containing 173 residential units, at 2706-2730 Dundas Street West.

On December 18, 2017, the applicant appealed the Zoning By-law Amendment application without any revisions to the proposal to the Local Planning Appeal Tribunal (the LPAT) citing Council's failure to make a decision on the application within the timeframe prescribed by the *Planning Act*.

On April 10, 2018, the applicant submitted a revised application for a 9-storey (37 metres including 5-metre mechanical penthouse) mixed-use building containing 151 residential units.

On July 4, 2018, Toronto and East York Community Council Item TE34.23 adopted Staff's recommendation to direct the City Solicitor and City Staff, as appropriate, to attend the LPAT to oppose the Zoning By-law Amendment application for 2706-2730 Dundas Street West in its current form for reasons set out in the staff report requesting direction (dated June 14, 2018) from the Acting Director, Community Planning, Toronto and East York District.

For a more detailed Decision History, Toronto and East York Community Council Decision, TE34.23 - 2706, 2708, 2710, 2720, and 2730 Dundas Street West - Zoning Amendment Application - Request for Directions Report:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.TE34.23>

COMMENTS

On December 18, 2017, the applicant appealed the Zoning By-law Amendment application the LPAT citing Council's failure to make a decision on the application within the timeframe prescribed by the *Planning Act*. No hearing dates have been scheduled at the Local Planning Appeal Tribunal.

Further information has been received which has resulted in the need for directions from City Council.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

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

Confidential Schedule A - Confidential Information

Confidential Schedule B - Confidential Information (On file with the City Clerk for
purpose of July 23, 24, 25, 2018 City Council Meeting)

Confidential Schedule C - Confidential Information (On file with the City Clerk for
purpose of July 23, 24, 25, 2018 City Council Meeting)