



## REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

### 470, 490 and 530 Wilson Avenue - Zoning Amendment Application - Request For Further Direction

**Date:** July 17, 2018  
**To:** City Council  
**From:** City Solicitor  
**Wards:** Ward 10 - York Centre

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

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The attachment to this report contains advice or communications that are subject to solicitor-client privilege.

#### **SUMMARY**

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This matter has been appealed to the Local Planning Appeal Tribunal. A two-week hearing has been scheduled to commence on February 19, 2019. The City Solicitor requires further direction.

#### **RECOMMENDATIONS**

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The City Solicitor recommends that:

1. City Council adopt the confidential instructions to staff in Confidential Attachment 1 to this report.
2. City Council authorize the public release of the recommendations contained in Confidential Attachment 1 to this report, if adopted, but that the remainder of Confidential Attachment 1 and Confidential Attachments 2, 3 and 4 in their entirety remain confidential as they contain information or advice which is subject to solicitor-client privilege.

## **FINANCIAL IMPACT**

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There is no financial impact arising with the recommendations contained in this report.

## **DECISION HISTORY**

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An Avenue Study for the portion of Wilson Avenue from Bathurst Street in the east to Keele Street in the west, including the subject site, was completed in 2007 (Official Plan Amendment (OPA) No. 1). The purpose of Official Plan Amendment No. 1 was to reduce the right-of-way width of portions of Wilson Avenue from 36 metres to 33 metres. The eastern most portion of the subject lands is subject to the reduced right-of-way width provisions of OPA 1.

The study also resulted in the implementation of Zoning By-law No. 1147-2007 which changed the zoning of the site from C1 – General Commercial Zone to AV – MU – Avenues Mixed Use Zone. This zoning allows for residential, commercial and institutional uses, and a maximum height of 8 storeys and 24 metres with a density of 2 times the site area.

A preliminary report was prepared for the February 22, 2017 meeting of the North York Community Council. At this meeting North York Community Council adopted the staff recommendations and expanded the notice area for the community consultation meeting.

The Preliminary Report and Community Council Decision are available at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.NY20.29>.

A final report dated December 15, 2017 was considered by City Council at its meeting of January 31 and February 1, 2018. City Council adopted Staff's recommendations to direct the City Solicitor to attend at the Ontario Municipal Board in opposition to the appeal. The final report and City Council decision are available at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.NY27.3>

## **COMMENTS**

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The application proposes to amend the zoning by-law to permit a 13 storey condominium building (353 units), a 12 storey rental apartment building (158 units) and two 4.5 storey stacked back-to-back townhouse buildings (112 units) on the site located at 470, 490 and 530 Wilson Avenue. The proposed redevelopment includes a three level underground parking garage with a total of 559 parking spaces and 5 surface parking spaces. The proposal also includes the demolition of a four-storey commercial office building and two four-storey residential rental buildings that contain a total of 110

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rental units. The applicant has also filed a Rental Housing Demolition application (File No. 16 270452 NNY 10 RH).

The owner appealed the Zoning By-law Amendment application to the Ontario Municipal Board (OMB) citing City Council's failure to make a decision within the prescribed time frames set out in the *Planning Act*. A two week hearing has been scheduled to commence on February 19, 2019. The City Solicitor requires further direction.

## **CONTACT**

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## **SIGNATURE**

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Wendy Walberg  
City Solicitor

## **ATTACHMENTS**

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Confidential Attachment 1 - Confidential Information  
Confidential Attachment 2 - Confidential Information  
Confidential Attachment 3 - Confidential Information  
Confidential Attachment 4 - Confidential Information (on file with City Clerk for purpose of July 23 24 and 25, 2018 City Council meeting)