

Request for Direction Report - Official Plan Amendment and Appeal of Dufferin Street Secondary Plan - 3140-3170 Dufferin Street and 60-68 Apex Road

Date: July 17, 2018

To: City Council

From: City Solicitor

Wards: Ward 15 - Eglinton - St. Lawrence

SUMMARY

The City Solicitor is currently preparing a report to request further instructions for the anticipated hearing of the Local Planning Appeal Tribunal of the applicant's consolidated appeals of the Dufferin Street Secondary Plan, and City Council's refusal of the applicant's application to amend the Official Plan for 3140-3170 Dufferin Street and 60-68 Apex Road.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council consider a forthcoming report from the City Solicitor on this matter at the meeting of City Council scheduled to begin on July 23, 2018.

FINANCIAL IMPACT

There is no financial impact arising out of the recommendations of this report.

DECISION HISTORY

At its meeting on December 9 and 10, 2015, City Council adopted the Dufferin Street Secondary Plan ("OPA 294"), a Secondary Plan that provides a planning framework for the potential redevelopment of the Dufferin Street Secondary Plan Area (all parcels fronting on Dufferin Street between Bridgeland Avenue to just south of Lawrence Avenue West), including policies on land use, built form, the public realm, mobility, infrastructure and community services and facilities. Council directed staff to use OPA

294 in the evaluation of all current and new development proposals falling within its boundaries.

On January 8, 2016, RioCan appealed OPA 294 in its entirety to the Ontario Municipal Board (the "OMB"), now known as the Local Planning Appeal Tribunal (the "LPAT").

On June 7, 2016, Council refused RioCan's Application to adopt the proposed Official Plan Amendment. On July 8, 2016, RioCan appealed Council's refusal to the OMB.

RioCan's appeal of OPA 294 has been consolidated with its appeal of Council's refusal to adopt its proposed Official Plan Amendment, for the purpose of the LPAT proceedings, in accordance with Council's direction on June 7, 2016.

Without prejudice discussions with the applicant have taken place, and Tribunal-led mediation was held on October 16, 17, 18, 19 and 27, 2017.

The City Solicitor requires further instructions.

COMMENTS

The City Solicitor intends to seek instruction on the position to take at the anticipated Local Planning Appeal Tribunal Hearing of the applicant's consolidated appeals.

CONTACT

Laura Bisset, Solicitor, Planning and Administrative Tribunal Law, Tel. 416-392-8782, Fax. 416-397-5624, E-mail: laura.bisset@toronto.ca

SIGNATURE

Wendy Walberg
City Solicitor