



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

50 to 60 Eglinton Avenue West - Official Plan Amendment and Zoning Amendment Applications - Request for Directions Regarding LPAT Hearing

Date: July 20, 2018
To: City Council
From: City Solicitor
Wards: Ward 16 - Eglinton-Lawrence

REASON FOR CONFIDENTIAL INFORMATION

This report contains advice or communications that are subject to solicitor-client privilege. This report contains information regarding potential litigation.

SUMMARY

60 Eglinton West Limited (the "Applicant") is the owner of lands municipally known as 50 to 60 Eglinton Avenue West (the "Subject Site"). The Subject Site is located at the north-west corner of Eglinton Avenue West and Duplex Avenue.

In October 2017, the Applicant submitted a Zoning By-law Amendment and Official Plan Amendment applications to the City (collectively, the "Application"). The Application is to permit the redevelopment of the Subject Site into a 36-storey mixed-use building containing retail and residential uses. The building is proposed to have a total gross floor area of 27,354.80 square metres, of which 1,872.90 square metres is for commercial retail space. The proposal will include 401 residential dwelling units and a total of 112 parking spaces in 4 levels of underground parking. The Application also proposes to retain the Eglinton Avenue West and Duplex Avenue facades of the existing former Toronto Hydro building at 50 Eglinton Avenue West.

On March 6, 2018, the Applicant appealed the Zoning By-law Amendment application to the Ontario Municipal Board (the "OMB") (now known as the Local Planning Appeal Tribunal) (the "LPAT") due to City Council's failure to make a decision. On April 25, 2018, the Applicant also appealed the Official Plan Amendment application to the OMB/LPAT. The appeals of the Zoning By-law Amendment and the Official Plan Amendment applications have been consolidated as LPAT Case No. PL180217. At this time, no hearing date has been scheduled for these appeals.

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The purpose of this report is to request further instructions for the upcoming LPAT hearing.

City Planning has been involved in the preparation of this report.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the recommendations contained in the Confidential Attachment 1 to this report.
2. City Council authorize the public release of the confidential recommendations contained in the Confidential Attachment 1, Confidential Attachment 2, and Confidential Attachment 2, Appendix "A", to this report, if adopted by City Council.
3. City Council direct that all other information contained in Confidential Attachment 1 is to remain confidential at the discretion of the City Solicitor, as it contains advice which is 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 January 16, 2018 the North York Community Council adopted a Preliminary Report from City Planning on the Zoning By-law Amendment and Official Plan Amendment applications for 50 to 60 Eglinton Avenue West. A copy of Community Council's decision and City Planning's report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.NY27.9>

COMMENTS

The City Solicitor requires further instructions. This report is about litigation before the LPAT and contains advice or communications that are subject to solicitor-client privilege. Attachment 1 to this report contains confidential advice and should be considered by Council in camera.

CONTACT

Alexander J. Suriano, Solicitor, Planning & Administrative Tribunal Law; Tel: (416) 392-4827; Fax: (416) 397-5624; Email: alexander.suriano@toronto.ca

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

1. Confidential Attachment 1 - Confidential Recommendations and Confidential Information
2. Confidential Attachment 2 - Further Confidential Information
3. Appendix "A" to Confidential Attachment 2, - Further Confidential Information (on file with the City Clerk for the purpose of the July 23, 24, 25, 2018 City Council meeting).