



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

280-290 Jarvis Street, 102-110 Gerrard Street and 189-193 Mutual Street - Official Plan Amendment and Zoning Amendment Application - Request for Direction Report

Date: March 19, 2019

To: Toronto City Council

From: City Solicitor

Wards: Ward 13 - Toronto Centre

REASON FOR CONFIDENTIAL INFORMATION

This report concerns litigation or potential litigation that affects the City of Toronto. This report contains advice or communications that are subject to solicitor-client privilege.

SUMMARY

Antorisa Investments Ltd. ("Antorisa", or the "Owner") is the owner of the lands known as 280-290 Jarvis Street, 102-110 Gerrard Street East and 189-193 Mutual Street. On December 29, 2016, Antorisa made applications for an Official Plan Amendment, Zoning By-law Amendment and Rental Housing Demolition with respect to the subject lands in order to permit a 25 storey-building and adjoining 10-storey building with a 3-storey podium. The heritage buildings on site were proposed to be re-located on site and incorporated into the design of the new development.

The applications were refused by City Council and the Official Plan Amendment and the Zoning By-law Amendment matters were appealed by the Owner to the LPAT on May 24, 2017. The appeal is known as LPAT Case No. PL170765. A pre-hearing conference took place on April 11, 2018 and June 29, 2018. On January 10, 11 and February 11, 2019, the parties attended Tribunal-led mediation. A 10-day hearing is scheduled to begin at the LPAT on April 1, 2019, and as a result this matter is urgent.

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.

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RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the confidential recommendations contained in Confidential Attachment 1.
2. City Council authorize the public release of the confidential recommendations contained in the Confidential Attachment 1, and Confidential Appendices A and B, 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 that is subject to solicitor-client privilege.

FINANCIAL IMPACT

There are no financial implications from the adoption of this report.

DECISION HISTORY

On May 24, 2017 City Council adopted clause TE24.8, and refused an Official Plan Amendment, and Zoning Amendment application along with a Rental Housing Demolition and Conversion application for the properties at 280-290 Jarvis Street, 102-110 Gerrard Street and 189-193 Mutual Street. For more information, see the Refusal Report at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE24.8>

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 information and should be considered by Council in camera.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

Confidential Attachment 1 - Confidential Report from City Solicitor
Confidential Appendix A – Confidential Information
Confidential Appendix B – Confidential Information (On file with the City Clerk for the March 27, and 28, 2019 meeting of City Council)