



## REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

### **2525 Lawrence Avenue East, 1380 Midland Avenue and 1-51, 201-211 and 300 Prudential Drive - Zoning By-law Amendment - LPAT Appeal - Request for Direction**

**Date:** November 19, 2019

**To:** City Council

**From:** City Solicitor

**Wards:** Ward 21 - Scarborough Centre

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

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This report contains advice or communications that are subject to solicitor-client privilege.

#### **SUMMARY**

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On January 28, 2016, a Zoning By-law Amendment application was submitted for the lands at 2525-2545 Lawrence Avenue East, 1380 Midland Avenue and 1-51, 201-211 and 300 Prudential Drive. The application included 9 buildings on four separate blocks ranging in height from 8 to 27 storeys, with a total of 1752 residential units and over 11,000 square metres of combined retail and office space. The Zoning By-law Amendment application was appealed to the Ontario Municipal Board (now the Local Planning Appeal Tribunal (LPAT)) on October 19, 2017 for Council's failure to make a decision on the application within the prescribed timelines in the *Planning Act*. A Pre-hearing Conference has been scheduled at the LPAT on November 29, 2019.

A comprehensive resubmission for a revised proposal was provided to the City on October 17, 2019, on a with prejudice basis, that includes 7 buildings ranging in height from 6 to 27 storeys, with 1462 residential dwelling units, 38,329 square metres of office uses and 1,492 square metres of retail or other commercial uses.

The City Solicitor seeks direction on this matter no later than the completion of the City Council meeting which starts on November 26, 2019.

## **RECOMMENDATIONS**

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The City Solicitor recommends that:

1. City Council adopt the confidential recommendations in Confidential Attachment 1.
2. If the City Solicitor's confidential recommendations are adopted by City Council, then City Council authorize the public release of the recommendations in Confidential Attachment 1, with Confidential Attachment 2 and the remainder of Confidential Attachment 1 to remain confidential as they contain information that is subject to solicitor-client privilege.

## **FINANCIAL IMPACT**

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There is no financial impact arising from the adoption of the confidential recommendations.

## **DECISION HISTORY**

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City Council on May 3, 2016 considered a Preliminary Report (March 14, 2016) from the Director, Community Planning, Scarborough District. In addition to the recommendations by Scarborough Community Council on April 5, 2016, that the subject application be processed and a community consultation meeting be convened in consultation with the Ward Councillor, City Council determined that an Avenue Segment Study was not required as part of the proposed Zoning By-law Amendment. The City Council Decision and Staff Report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.SC13.15>

## **COMMENTS**

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The City Solicitor requires direction on this matter prior to the conclusion of the November 26, 2019 meeting of City Council.

## **CONTACT**

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## **SIGNATURE**

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Wendy Walberg  
City Solicitor

## **ATTACHMENTS**

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Public Attachment 1 - Plans and Drawings (on file with the City Clerk for the purpose of the November 26 and 27, 2019 City Council meeting)

Confidential Attachment 1 - Confidential Report from the City Solicitor  
Confidential Attachment 2 - Additional Confidential Material