

City Council**Motion without Notice**

MM3.12	ACTION			Ward: 3
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1001 to 1037 The Queensway - Request for Direction regarding Local Planning Appeals Tribunal Appeal - by Councillor Mark Grimes, seconded by Councillor Frances Nunziata

** This Motion has been deemed urgent by the Chair.*

** This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

Confidential Attachment - Litigation or potential litigation that affects the City or one of its agencies or corporations and advice or communications that are subject to solicitor client privilege

Recommendations

Councillor Mark Grimes, seconded by Councillor Frances Nunziata, recommends that:

1. City Council adopt the following recommendations in the report (February 25, 2019) from the City Solicitor:
 1. City Council adopt the recommendations contained in Confidential Attachment 1 to this report.
 2. The recommendations contained in Confidential Attachment 1 to this report and Appendices A and B be made public at such time as City Council adopts the recommendations. All other information contained in Confidential Attachment 1 is to remain confidential.

Summary

RioCan Holdings (Queensway) Inc. (the "Applicant") is the owner of lands municipally known as 1001, 1007, 1001 and 1037 The Queensway in the City of Toronto (the "Subject Site"). The Applicant submitted a Zoning By-law Amendment application to the City in December of 2015, proposing to redevelop the Subject Site. The Zoning By-law Amendment application proposes to construct four buildings (three 12 storey buildings and one 20 storey tower), featuring a mix of residential, commercial/retail uses. (the "Application").

On November 23, 2017, the Applicant appealed the Zoning By-law Amendment application to the Local Planning Appeal Tribunal due to City Council's failure to make a decision within the time allotted by the Planning Act. On July 23, 2018, City Council adopted a Request for

Directions Report from City Planning which recommended that the application be opposed at the Local Planning Appeal Tribunal with respect to concerns with the proposed building heights, massing, site organization of buildings and the undersized public park.

On September 27, 2018, a Prehearing Conference was held, and on January 9, 2019, the parties to the hearing participated in a one day mediation into the matter. A seven day Local Planning Appeal Tribunal hearing is scheduled to commence on April 15, 2019.

The City Solicitor requires further direction regarding the upcoming Local Planning Appeal Tribunal hearing. This Motion seeks City Council authority to consider the City Solicitor's Report for Action with Confidential Attachment dated February 25, 2019 regarding the Local Planning Appeal Tribunal appeal.

This Motion is urgent because a seven day Local Planning Appeal Tribunal hearing is scheduled to commence on April 15, 2019. The City and the applicant are required to deliver detailed Witness Statements from all expert witnesses on March 15, 2019 so the current meeting of Council will be the last opportunity to obtain further direction from Council.

Background Information (City Council)

Member Motion MM3.12

(February 25, 2019) Report from the City Solicitor on 1001 to 1037 The Queensway - Request for Direction on a Local Planning Appeals Tribunal Hearing

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-130146.pdf>)

Confidential Attachment 1

Confidential Appendix A

Confidential Appendix B