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Our File No.	248644
Date	June 27, 2020

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City of Toronto

Mayor and Members of Council
12th Floor, West Tower
City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Ms. Marilyn Toft, Council Secretariat

Dear Mayor and Members of Council:

Re: **City of Toronto Council Meeting of June 29, 2020**
Item No. CC22.7
2450 Victoria Park Avenue
Zoning By-law Amendment Application
Request for Directions (Ward 17)

We are the solicitors retained to act on behalf of the Armenian Community Centre (“ACC”), owners of the Armenian Community Centre and St. Mary’s Armenian Apostolic Church located at 45 Hallcrown Place and the Armenian Youth Centre located at 50 Hallcrown Place. The lands owned by the ACC immediately abutt the lands that are the subject of the above noted rezoning application to the south.

As you are aware the owners of 2450 Victoria Park Avenue (“**Applicant/Appellant**”) appealed their site specific rezoning application to the LPAT. The ACC requested and was granted Party status to the Appellant’s appeal (PL180306). The matter is scheduled for a 3 week hearing commencing on August 10, 2020 however, at present, the hearing date has not been confirmed by the LPAT and based on experience with other files before the Tribunal originally scheduled for the summer of 2020, it is our understanding that no contested hearings are being held before the Tribunal that were originally scheduled to be heard at the LPAT at 655 Bay Street due to Covid-19 pandemic. Also the Procedural Order has not been confirmed and none of the parties to this proceeding, including the Appellants, have filed witness statements as per the Emergency legislation passed by the province that stated that no steps in a proceeding will proceed during the pandemic.



We understand that the Applicant has recently provided amended plans to the City Planning Department and that the amended plans are the subject of a confidential Request for Directions report from the City Solicitor and Planning Department as Item No. CC22.7 for the June 29th, 2020 Council meeting. Our client was only informed that this matter was going to Council the evening of June 25, 2020.

On Saturday, June 13th, 2020 the Appellant, through its solicitors, provided the ACC's solicitor with a copy of a set of modified plans for consideration and discussion on a "without prejudice" basis. Upon receipt of the modified plans the ACC forwarded them to its Land Use Planner and its Transportation Planner for review and input. As well the ACC circulated the modified plans to members of its Community for input and consideration. The ACC received comments from its consultants and Community members and on Friday, June 26th had their solicitor forward, on a "without prejudice" basis, the ACC's questions and concerns related to the modified plans to the Appellant's solicitors. Neither the ACC, nor myself were made aware that the Appellant's modified plans would be considered by Council on June 29th.

The ACC believed that the purpose of the Appellant providing it with the modified plans was that the Appellant was desirous of resolving the ACC's concerns regarding its proposal and was hoping to achieve a settlement of the LPAT hearing through discussions. The hopes of achieving a settlement is also a goal of the ACC however, it is unreasonable for the Appellant to anticipate that under the current circumstance of the Covid-19 pandemic that it would be possible to review the modified plans with their consulting team and obtain input from their larger community, hold discussions with the Appellant and reach a resolution between Saturday, June 13th and the June 29th Council meeting.

In the ACC's solicitor's "without prejudice" communication to the Appellant's solicitors on June 26th, important questions requiring clarification and answers were posed and the answers are critical to our understanding of the modified plans and any potential impact.

Accordingly, we are respectfully requesting that this matter be deferred to the July 2020 Council meeting in order to ensure that a reasonable time frame is provided for our clients to hold appropriate settlement discussions with the Appellant, the City Staff and the ACC. As noted above, the LPAT has clearly stated that contested hearings are not being held at the LPAT's offices at 655 Bay Street and that if this matter remains contested it is unlikely that it will proceed to a hearing on August 10th, 2020.



If there is a settlement the LPAT has and will hold settlement hearings via “social distancing” means such as conference calls, but only if it is a settlement. Accordingly, we see no prejudice to the Applicant waiting until the July Council meeting.

We thank you for your consideration. Should you have any questions please do not hesitate to call me at 416 804-8827.

Yours truly,

A handwritten signature in blue ink, reading "Mary Flynn-Guglietti".

Mary Flynn-Guglietti

/jt

CC: Councillor Shelly Carroll (Councillor_Carroll@toronto.ca)
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