



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

314, 315, 316, 317 and 325 Bogert Avenue and 305, 306, 307 and 308 Poyntz Avenue - Official Plan Amendment and Zoning By-law Amendment and Rental Housing Demolition and Conversion Applications– Request for Direction Report

Date: May 31, 2021

To: City Council

From: City Solicitor

Wards: Ward 18- Willowdale

REASON FOR CONFIDENTIAL INFORMATION

This report is about litigation or potential litigation that affects the City or one of its agencies or corporations.

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

SUMMARY

In a resubmission in October 2019, the owner proposed to amend the zoning by-law at 314, 315, 316, 317, and 325 Bogert Avenue and 305, 306, 307, and 308 Poyntz Avenue to permit 5 new buildings, 4 towers of 17, 19, 27 and 29 storeys, and a mid-rise building of 11 storeys. The retained existing and proposed buildings have a total Gross Floor Area (GFA) of 132,668 square metres and add an additional 1,111 residential units along with 279 rental replacement units and 148 existing rental units being maintained for a total of 1,538 units. The retained existing and proposed buildings would have an overall Floor Space Index (FSI) of 3.22 times the lot area as calculated under Zoning By-law 569-2013.

The applicant has appealed the refusal of the application by the City to LPAT. A date has not yet been set for a hearing.

City Planning and Housing assisted in the preparation of this report. Further direction from City Council is required in this matter.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the confidential instructions to staff in Confidential Attachment 1 to this Report from the City Solicitor.
2. City Council authorize the public release of the confidential recommendations contained in Confidential Attachment 1 and Confidential Appendices A and B to this report of the City Solicitor, if adopted by City Council.
3. City Council direct that the balance of Confidential Attachment 1 to this Report from the City Solicitor remain confidential as it contains advice, which is subject to solicitor-client privilege.

FINANCIAL IMPACT

There is no financial impact arising from the adoption of the Confidential Recommendations.

DECISION HISTORY

At its meeting of July 4, 5, 6 and 7, 2017, Council considered the City Planning staff report, being Item NY23.10 and adopted the recommendations.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.NY23.10>

City Council directed the City Solicitor, together with appropriate staff, to oppose the appeals at the LPAT Hearing.

COMMENTS

This report is about litigation before the LPAT and contains advice or communications that are subject to solicitor-client privilege. The attachment to this report contains confidential information and should be considered by Council in camera. The City Solicitor requires direction on this matter.

CONTACT

Ray Kallio, Lawyer, Planning and Administrative Law, Tel: (416) 397-4063, Email:
Ray.Kallio@toronto.ca

SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

Confidential Attachment 1 - Confidential Information

Confidential Appendix A - Confidential Information

Confidential Appendix B - Confidential Information