

4050 Yonge Street - Official Plan Amendment, Zoning Amendment, and Rental Housing Demolition Applications - Request for Directions Report

Date: May 31, 2021

To: City Council

From: City Solicitor

Wards: Ward 8 - Eglinton-Lawrence

REASON FOR CONFIDENTIAL INFORMATION

This report contains advice or communications that are subject to solicitor-client privilege. This report contains information regarding potential litigation.

SUMMARY

On or around April 14, 2021, the appellant submitted materials in support of a further revised proposal on a with prejudice basis. The purpose of this report is to request further instructions for the purpose of a case management conference before the Local Planning Appeal Tribunal (LPAT) on June 24, 2021.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the recommendations contained in the Confidential Attachment 1 to the report (May 31, 2021) from the City Solicitor.
2. City Council authorize the public release of the confidential recommendations contained in the Confidential Attachment 1 to the report (May 31, 2021) along with the Confidential Appendix A to the report (May 31, 2021) from the City Solicitor, if the confidential recommendations are adopted by City Council.
3. City Council direct that all other information contained in Confidential Attachment 1 to the report (May 31, 2021) from the City Solicitor is to remain confidential at the

discretion of the City Solicitor, as it contains advice which is subject to solicitor-client privilege.

FINANCIAL IMPACT

Adopting this report will have no financial impact beyond what has already been approved in the current year's budget.

DECISION HISTORY

On October 7, 2020, North York Community Council adopted the Preliminary Report (September 21, 2020) from the Acting Director, Community Planning, North York District.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.NY18.9>

On March 10, 2021, City Council adopted the recommendations of the Request for Directions Report (February 5, 2021) from the Acting Director, Community Planning North York District and directed the City Solicitor and staff to appear at the Local Planning Appeal Tribunal in opposition to the proposed development.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NY22.1>

COMMENTS

On or around April 14, 2021, the appellant resubmitted materials on a with prejudice basis. Architectural Plans prepared by the IBI Group, dated April 12, 2021, are attached to this report as Public Attachment 1.

The table below outlines the changes between the original application made on or around February 14, 2020, the resubmission made on or around December 10, 2020, and the second resubmission made on or around April 14, 2021.

Site Statistics	February 14, 2020 Original Application	December 10, 2020 Resubmission	April 14, 2021 Resubmission
Building Height (including mechanical penthouse)	35 storey condo - 123.5 metres (131.0 metres)	35 storey condo - 125.81 metres (132.81 metres)	35 storey condo - 125.81 metres (132.81 metres)
	21 storey hotel - 72.5 metres (80.5 metres)	21 storey hotel - 77.15 metres (85.2 metres)	21 storey hotel - 77.15 metres (85.2 metres)

Site Statistics	February 14, 2020 Original Application	December 10, 2020 Resubmission	April 14, 2021 Resubmission
Residential Gross Floor Area	32,414 square metres	35,460 square metres	35,460 square metres
Non-Residential Gross Floor Area	28,630 square metres	23,548 square metres	23,548 square metres
Floor Space Index	4.73 FSI Gross 7.38 FSI Net	4.57 FSI Gross 9.66 FSI Net	4.57 FSI Gross 9.66 FSI Net
Residential 1-Bedroom 2-Bedroom 3-Bedroom	69 1-bed (24 percent) 120 2-bed (41 percent) 101 3-bed (35 percent)	55 1-bed (18 percent) 130 2-bed (39 percent) 115 3-bed (33 percent)	55 1-bed (18 percent) 130 2-bed (39 percent) 115 3-bed (33 percent)
Indoor Amenity Space proposed	580 square metres	664 square metres	664 square metres
Outdoor Amenity Space proposed	580 square metres	536 square metres	536 square metres
Vehicular Parking proposed	766 spaces	651 spaces	646 spaces
Bicycle Parking proposed	250 spaces provided including: 198 long term residential 20 short term residential 10 long term non-residential 22 short term non-residential	256 spaces provided including: 204 long term residential 21 short term residential 10 long term non-residential 22 short term non-residential	256 spaces provided including: 204 long term residential 21 short term residential 10 long term non-residential 22 short term non-residential

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 advice and should be considered by Council *in camera*.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

1. Public Attachment 1 - Architectural Plans prepared by IBI Group, dated April 12, 2021
2. Confidential Attachment 1 - Confidential Information
3. Confidential Appendix A - Confidential Information