

206 Russell Hill Road - Request for Directions Regarding LPAT Hearing

Date: March 29, 2021

To: City Council

From: City Solicitor

Wards: Ward 12 - Toronto - St. Paul's

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 September 9, 2019, the applicant appealed to the Local Planning Appeal Tribunal (the "LPAT") citing Council's failure to make a decision on the Zoning By-law Amendment and Site Plan Control applications within the timeframe prescribed by the Planning Act. The case management conference was held on January 28, 2020.

The Zoning By-law Amendment application proposes a 4-unit, 3-storey (13.7 metre) townhouse building with 8 parking spaces located within a below-grade garage. The proposal includes 1,252 square metres of gross floor area and a total density of 1.13 times the area of the site. The existing house would be demolished. The Zoning By-law Amendment and Site Plan Control applications were deemed complete on May 18, 2018.

The purpose of this report is to request further instructions regarding a matter appealed to the LPAT.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the recommendations contained in the Confidential Attachment 1 to the report (March 29, 2021) from the City Solicitor.

2. City Council authorize the public release of the confidential recommendations contained in the Confidential Attachment 1, Confidential Appendix "A" and Confidential Appendix "B" to the report (March 29, 2021) from the City Solicitor, if adopted by City Council.

3. City Council direct that all other information contained in Confidential Attachment 1 to the report (March 29, 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 February 14, 2019, Toronto and East York Community Council considered a preliminary report on the Zoning By-law Amendment for 206 Russell Hill Road which can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.TE3.68>

On June 29, 2020, City Council directed City Staff to attend in opposition to the zoning by-law amendment and site plan applications in their current form and directed City staff to continue discussions with the applicant on resolving matters. City Council's Decision which can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.TE14.12>

COMMENTS

The City Solicitor requires further instructions. This report is about litigation before the Local Planning Appeal Tribunal 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

Confidential Attachment 1 - Confidential Recommendations and Confidential Information

Confidential Appendix "A" - Confidential Information

Confidential Appendix "B" - Confidential Information