

8 - 16 Locust Street and 15 Oxford Drive - Official Plan and Zoning By-law Amendment - OLT Appeal - Request for Direction

Date: January 25, 2022

To: City Council

From: City Solicitor

Wards: Ward 5 - York-South Weston

REASON FOR CONFIDENTIAL INFORMATION

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

SUMMARY

On May 8, 2020, Official Plan and Zoning By-law Amendment applications were submitted to permit a 35-storey residential building containing 372 dwelling units. The application included the severance of a 1,217 square metre portion of 15 Oxford Drive and the reconfiguration of the terminus of Locust Street into a new cul-de-sac.

On May 17, 2021, the applicant appealed the Official Plan and Zoning By-Law Amendments to the Ontario Land Tribunal (OLT) citing City Council's failure to make a decision on the applications within the time period prescribed under the *Planning Act*. A Case Management Conference was held on June 23, 2021, and the OLT has scheduled a 10-day hearing commencing on Monday June 13, 2022.

The City and the applicant participated in OLT led mediation on November 1 and 4, 2021. As a result of the mediation the City Solicitor requires further instructions in advance of upcoming hearing disclosure dates.

The City Solicitor seeks direction on this matter no later than the completion of the City Council meeting which starts on February 2, 2022.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the confidential recommendations in Confidential Attachment 1.
2. If the City Solicitor's confidential recommendations are adopted by Council, then City Council authorize the public release of:
 - a. The recommendations contained in Confidential Attachment 1 (with the remainder of Confidential Attachment 1 to remain confidential as it contains information that is subject to solicitor-client privilege); and
 - b. All of Confidential Appendix 1.

FINANCIAL IMPACT

There is no financial impact arising from the adoption of the confidential recommendations.

DECISION HISTORY

A Preliminary Report on the applications (June 22, 2020) was considered by Etobicoke Community Council on July 14, 2020 authorizing City Planning staff to conduct a community consultation meeting with an expanded notification area and to bring forward the Final Report for the applications following the completion of the Mount Dennis Planning Framework Study. The Community Council decision and Preliminary Report can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.EY16.4>

City-Initiated Mount Dennis Planning Framework Study (Picture Mount Dennis Study)

On March 10, 2016, City Council directed City Planning staff to undertake a review of the current planning framework for the Mount Dennis area including: built form; density; building heights; and public realm for the properties in Mount Dennis. City Council directed staff to consult with the community, landowners and stakeholder groups, and to report back on the findings of the review and to provide recommendations for changes, if necessary, to the planning framework for the study area. The review is complete and the Picture Mount Dennis Planning Framework Study report (December 8, 2021) from the Director, Community Planning, Etobicoke York District was considered by the Etobicoke York Community Council on January 8, 2022 with recommendations that City Council direct City Planning staff to bring forward a draft Official Plan Amendment,

including a draft Secondary Plan, a draft Zoning By-law Amendment and draft Urban Design Guidelines for the study area in the first quarter of 2023. This matter will be considered by City Council at its meeting on February 2 and 3, 2022. The Etobicoke York Community Council decision and the Picture Mount Dennis Planning Framework Study report can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.EY29.2>

COMMENTS

Following Mediation at the OLT on November 1 and 4, 2021 and subsequent settlement discussions between the City and the applicant, the City Solicitor requires direction in this matter prior to the conclusion of the February 2 and 3, 2022 meeting of City Council.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

1. Confidential Attachment 1 - Confidential Report from the City Solicitor
2. Confidential Appendix 1 - Confidential Information