

**80 Thirtieth Street – Zoning Amendment Application –  
Request for Direction**

**Date:** March 2, 2022

**To:** City Council

**From:** City Solicitor

**Wards:** Ward 3 – Etobicoke-Lakeshore

**REASON FOR CONFIDENTIAL INFORMATION**

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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**

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The application proposes to amend City-wide Zoning By-law 569-2013 to permit 14 back-to-back townhouse units in one block. The proposed townhouse units would be 4- storeys (14.5 metres) in height and have a total residential gross floor area of 1,993 square metres, representing a Floor Space Index of 0.92 times the area of the lot. The application proposes 18 surface parking spaces adjacent to the rail corridor and 14 parking spaces integral to the townhouses.

The owner of the site has appealed its Zoning By-law Amendment application to the Ontario Land Tribunal ("**OLT**") citing Council's failure to make a decision within the time required by the *Planning Act*. Further direction from City Council is required on this matter.

**RECOMMENDATIONS**

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The City Solicitor recommends that:

1. City Council adopt the recommendations contained in Confidential Attachment 1 to the report from the City Solicitor.

2. City Council authorize the public release of the confidential recommendations in Confidential Attachment 1 and Appendix A, if adopted by City Council.
3. City Council direct that all other information contained in Confidential Attachment 1 is to remain confidential as it contains advice which is subject to solicitor-client privilege.

## **FINANCIAL IMPACT**

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

## **DECISION HISTORY**

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On July 14, 2020, City Council considered a Preliminary Report by City Planning and directed staff to schedule a community consultation meeting. A copy of City Council's decision and City Planning's report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.EY16.8>

On December 16, 2020, City Council directed the City Solicitor, together with appropriate City staff, to attend the Local Planning Appeal Tribunal to oppose the applicant's appeal of the Zoning By-law Amendment application for 80 Thirtieth Street and authorized the City Solicitor and City staff to continue discussions with the Applicant to resolve the matter. A copy of City Council's decision and the Request for Direction Report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.EY20.1>

## **COMMENTS**

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This report is about litigation before the OLT 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. This report has been prepared in consultation with staff from City Planning, including Community Planning and Urban Design Staff. There is some urgency in Council considering this matter at this time. The City Solicitor requires direction on this matter.

## **CONTACT**

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## **SIGNATURE**

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Wendy Walberg  
City Solicitor

## **ATTACHMENTS**

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Confidential Attachment 1 - Confidential Information  
Confidential Appendix "A" – Confidential Information