

## **2810 to 2814 Bayview Avenue – Official Plan Amendment and Zoning Amendment Application – Request for Direction**

**Date:** March 29, 2022

**To:** City Council

**From:** City Solicitor

**Wards:** 18 - Willowdale

### **REASON FOR CONFIDENTIAL INFORMATION**

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

### **SUMMARY**

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Dormer Bay Inc. (the "Applicant") is the owner of the property municipally known as 2810, 2812 and 2814 Bayview Avenue (the "Subject Site"). The Applicant applied for an Official Plan and zoning by-law amendment application (the "Applications") in order to facilitate a seven storey residential building on the Subject Site.

The Applicant has appealed the application to the Ontario Land Tribunal (the "OLT") due to City Council's failure to make a decision within the timeframes prescribed in the Planning Act.

On December 15, 2021 City Council adopted recommendations directing the City Solicitor to attend the OLT to oppose the proposal's vehicular access and parking spaces.

The OLT has scheduled a Case Management Conference for May 3, 2022.

This report has been prepared in consultation with City Planning and Transportation Services staff.

## **RECOMMENDATIONS**

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The City Solicitor recommends that:

1. City Council adopt the recommendations contained in Confidential Attachment 1 to this report.
2. If the confidential recommendations in Confidential Attachment 1 are adopted by City Council, City Council authorize the public release of:
  - a. the confidential recommendations in Confidential Attachment 1, but that the remainder of Confidential Attachment 1 remain confidential as it contains advice which is subject to solicitor-client privilege; and
  - b. Confidential Attachment 2.

## **FINANCIAL IMPACT**

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

## **DECISION HISTORY**

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City Planning staff submitted a Request for Directions Report from the Director, Community Planning, North York District to the November 23, 2021 meeting of North York Community Council regarding the Official Plan and Zoning Amendment Applications for 2810-2814 Bayview Avenue. Staff's recommendation was amended by North York Community Council to direct the City Solicitor to oppose the Applications due to concerns relating to the proposed vehicular access and number of parking spaces.

At its meeting on December 15, 2021, City Council adopted the amended recommendations of North York Community Council. City Council's decision may be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NY28.2>

## **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. Attachment 1 and Attachment 2 to this report contain confidential information.

## **CONTACT**

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Sara Amini, Solicitor, Planning & Administrative Law, Tel: 416-392-2723, E-mail:  
[Sara.Amini@toronto.ca](mailto:Sara.Amini@toronto.ca)

## **SIGNATURE**

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Wendy Walberg  
City Solicitor

## **ATTACHMENTS**

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1. Confidential Attachment 1 - Confidential Recommendations and Confidential Information
2. Confidential Attachment 2 - Confidential information