

625 Church Street - Request for Directions Report

Date: March 29, 2022

To: City Council

From: City Solicitor

Wards: Ward 11 - University Rosedale

REASON FOR CONFIDENTIAL INFORMATION

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

SUMMARY

On February 25, 2021, the applicant appealed its Zoning By-law Amendment application to the Ontario Land Tribunal (OLT) citing City Council's failure to make a decision on the application in accordance with the timelines under the *Planning Act*.

The Toronto Preservation Board will consider this matter at its meeting of April 5, 2022.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the confidential recommendations contained in Confidential Attachment 1 to the report (March 29, 2022) from the City Solicitor;
2. City Council authorize the public release of the recommendations in Confidential Attachment 1 and Confidential Appendix "A", Confidential Appendix "B", and Confidential Appendix "C" if adopted by City Council, with the remainder of the Confidential Attachment 1 to remain confidential 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

Designation of the Property

The property at 625 Church Street has been designated under Part IV, Section 29 of the Ontario Heritage Act. City Council stated its intention to designate the properties during its meeting of June 8 and 9, 2021 and passed City of Toronto By-law 808-2021 designating the properties on October 4, 2021.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.TE25.9>

Related Development Applications

An application was filed with the City in 2019 requesting an amendment to the City's zoning by-law by-laws for the lands municipally known as 625 Church Street to permit a mixed-use tall building comprised of 59 storeys, office uses on the first 6 storeys with residential units above. The proposal included 10,079 square metres of office gross floor area, 45,742 square metres of residential gross floor area, and 593 square metres of retail gross floor area and 260 car parking spaces below grade.

The owner appealed the Zoning By-law Amendment application to the Ontario Land Tribunal due to City Council's failure to make a decision on the application within the time prescribed by the Planning Act. City Council directed the City Solicitor and staff to appear at the Tribunal in opposition to the application to amend the zoning by-law and to work with the owner to resolve matters identified in the report (April 29, 2021) prepared by the Director of Community Planning, Toronto & East York District.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.TE25.8>

Since that time, City Council has accepted a settlement offer from the owner, subject to conditions of City Council, pursuant to the adoption of the report (March 2, 2022) prepared by the City Solicitor as Item CC44.17 on March 9, 2022.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.CC41.17>

COMMENTS

The Designated Property

The designated property is located on the east side of Church Street at the north east corner of Church Street and Charles Street East. The property contains a commercial building (the "Traders Building") that was constructed in 1956 by Frid Construction Company of Hamilton, designed by the architectural firm of Marani & Morris, and originally occupied by the Traders Finance Corporation.

Adjacent Heritage Context - 628 Church Street (Manhattan Apartments)

The property at 628 Church Street is located across the street from the subject site at the northwest corner of the intersection of Charles and Church Streets. The property is designated under Part IV of the Ontario Heritage Act by By-law 1025-2017. The property contains the Manhattan Apartments, a two-storey apartment building constructed between 1909 and 1911.

Adjacent Heritage Context - 634 and 636 Church Street (Bernard Halden Houses)

The properties at 634 and 636 Church Street are located across the street from the subject site on the west side of Church Street between Charles and Hayden Streets. The properties, along with the property at 628 Church Street, are designated under Part IV of the Ontario Heritage Act by By-law 1025-2017. The properties contain a pair of semi-detached house-form buildings that were commissioned in 1878 by Bernard Haldan, an insurance company manager.

The City Solicitor requires further instructions. This report is about litigation before the OLT and contains advice or communications that are subject to solicitor-client privilege. Confidential Attachment 1 to this report contains confidential advice and it should be considered by Council in camera.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

Confidential Attachment 1 - Confidential Information

Confidential Appendix A - Confidential Information

Confidential Appendix B - Confidential Information

Confidential Appendix C - Confidential Information