



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

1377 Sheppard Avenue West - Site Plan Control Application - Proposed Encroachments

Date: June 7, 2022

To: City Council

From: City Solicitor

Wards: Ward 6 - York Centre

REASON FOR CONFIDENTIAL INFORMATION

This report contains information explicitly supplied in confidence to the City of Toronto by Canada or a Crown agency of Canada.

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

SUMMARY

Her Majesty the Queen in Right of Canada is the owner of lands known municipally as 1377 Sheppard Avenue West (the "Subject Site"). Parc Downsview Park and Canada Lands Company (the "Applicant"), respectively a previous owner of the Subject Site and a federal Crown corporation specializing in real estate, submitted an application for Site Plan Control for the Subject Site in 2019.

Authority is required to enter into an encroachment agreement for the installation and maintenance of various encroachments related to the proposed future redevelopment on the Subject Site. The encroachments would be located on the City's adjacent rights of way on Sheppard Avenue West. Similar encroachments are proposed within the Allan Road frontage of the Subject Site which is under ownership of Park Downsview Park Inc. and leased by the City. City consent for the encroachments under the terms of the lease is also contemplated.

Transportation Services has been involved in preparation of this report and have indicated that there are no objections with the proposed subject encroachments, the details of which are to be determined through the site plan approval process to ensure that there are no negative impacts to the public rights of way.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the recommendations contained in the Confidential Attachment 1 to this report.
2. City Council authorize the public release of the recommendations contained in the Confidential Attachment 1 to this report if adopted.
3. City Council direct that all other information contained in Confidential Attachment 1 remain confidential in its entirety, at the discretion of the City Solicitor, as it contains information explicitly supplied in confidence to the City of Toronto by Canada or a crown agency of Canada and advice 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.

COMMENTS

The Subject Site is located at the south-west corner of Sheppard Avenue West and Allen Road, located within the Downsview Area Secondary Plan ("DASP"). In connection with the Applicant's Site Plan Control Application relating to a building on the Subject Site, the Applicant has requested certain encroachments on the City's adjacent rights of way on Sheppard Avenue West and Allen Road.

The proposed encroachments will not hinder or impact the ability to provide an attractive public realm and, importantly, through the site plan approval process staff will ensure that the proposed encroachments also do not impede existing and planned public use of public rights of way, including a future pedestrian and cycling route along Sheppard Avenue West with a direct connection to the Sheppard West Subway Station.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

Confidential Attachment 1 - Confidential Information and Advice