

683 - 685 Warden Avenue - Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision - OLT Appeal - Request for Direction

Date: July 8, 2022

To: City Council

From: City Solicitor

Wards: Ward: 20 - Scarborough Southwest

REASON FOR CONFIDENTIAL INFORMATION

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

The applicant appealed its Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision applications to the Ontario Land Tribunal (OLT) on April 5, 2022 and a Case Management Conference at the Tribunal has been scheduled for July 11, 2022.

Further direction from City Council is required on this matter.

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 the recommendations contained in Confidential
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23T22T21T19T18T17T16T15T14T13T12T11T10T9T8T7T6T5T4T3T2T1T0T683 - 685 Warden Avenue -
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Attachment 1 (with the remainder of Confidential Attachment 1 to remain confidential as it contains information that is subject to solicitor-client privilege).

FINANCIAL IMPACT

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

DECISION HISTORY

A Preliminary Report on the applications (December 6, 2021) from the Director, Community Planning, Scarborough District was considered by Scarborough Community Council on January 10, 2022, authorizing City Planning staff to conduct a community consultation meeting with an expanded notification area. The Community Council decision and Preliminary Report can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.SC29.1>

COMMENTS

The Preliminary Report set out staff's concerns with the development proposal. Those concerns included:

- The appropriateness of the proposed tall buildings;
- The appropriate combination of building types including midrise and lowrise buildings;
- Conformity with the Mixed Use Areas policies including the requirement that development results in height which provide for an appropriate transition to areas of different development, intensity and scale;
- Providing for adequate light and privacy and limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties, parks and open spaces, having regard for the varied nature of such areas and as necessary to preserve their utility;
- The orientation and organization of the buildings on the site including loading/unloading and service areas, building entrances and relationship to each of the proposed buildings;
- The adequacy of the location and amount of proposed outdoor amenity space;

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- The provision of sufficient retail and non-residential GFA;

- The proposed new public street, which loops around the subject site with no connection to the existing street network to the east of the subject property;
- The inclusion of private lands north and south of the subject lands to achieve street widths, even though they are not part of the development lands;
- Compliance of the public street with City of Toronto Development Infrastructure Policy and Standards (DIPS); and
- The location, configuration and size of the proposed public park.

A final recommendation from Community Planning staff has not yet been made in respect of the proposal discussed in the Preliminary Report and the City Solicitor requires direction from City Council by the end of the July 19, 2022 meeting of Council.

CONTACT

Mark Crawford, Solicitor, Planning and Administrative Tribunal Law, Tel. 416-392-8864, Fax 416-397-5624, Mark.Crawford@toronto.ca

SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

1. Confidential Attachment 1 - Confidential Report from the City Solicitor