

**68, 70, 72, 74, 76 and 78 Churchill Avenue – Ontario  
Land Tribunal Hearing – Request for Directions**

**Date:** March 15, 2023

**To:** City Council

**From:** City Solicitor

**Ward:** 18 – Toronto - 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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On November 8, 2021, the City received a Zoning By-law Amendment and Site Plan Application for 68, 70, 72, 74, 76 and 78 Churchill Avenue (the "Site") to permit the construction of 44 new townhouse units.

The applicant appealed City Council's neglect or failure to make a decision on its application for the Zoning By-law Amendment and Site Plan Application (the "Appeal"), to the Ontario Land Tribunal (the "OLT") on October 5, 2022.

The City Solicitor requires further directions for the upcoming OLT Case Management Conference scheduled for April 11, 2023.

**RECOMMENDATIONS**

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The City Solicitor recommends that:

1. City Council adopt the recommendations contained in the Confidential Attachment 1 to this report from the City Solicitor.
2. City Council authorize the public release of the confidential recommendations contained in Confidential Attachment 1 to this report from the City Solicitor, Confidential Attachment 2, and Confidential Appendices "A" and "B", if the confidential recommendations are adopted by City Council.

3. City Council direct that all other information contained in Confidential Attachment 1 to this report from the City Solicitor 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 beyond what has already been approved in the current year's budget.

## **DECISION HISTORY**

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On November 8, 2021, the City received a Zoning By-law Amendment and Site Plan application to permit 44 new townhouse units. The Preliminary Report can be found at: <https://www.toronto.ca/legdocs/mmis/2022/ny/bgrd/backgroundfile-223831.pdf>

On October 5, 2022, the applicant appealed City Council's neglect or failure to make a decision on the Zoning By-law Amendment and Site Plan Application to the OLT. A Case Management Conference is scheduled for April 11, 2023.

## **COMMENTS**

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The City Solicitor requires further instructions on this matter. This report is about ongoing litigation before the OLT and contains advice or communications that are subject to solicitor-client privilege.

## **CONTACT**

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## **SIGNATURE**

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Wendy Walberg  
City Solicitor

## **ATTACHMENTS**

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1. Confidential Attachment 1 - Confidential Information
2. Confidential Attachment 2 - Confidential Information
3. Confidential Appendix "A" - Confidential Information
4. Confidential Appendix "B" - Confidential Information