

**2010-2050 Yonge Street – Ontario Land Tribunal
Hearing – Request for Directions**

Date: May 29, 2023

To: City Council

From: City Solicitor

Wards: Ward 12 - Toronto-St. Paul's

REASON FOR CONFIDENTIAL INFORMATION

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

SUMMARY

On November 8, 2021 Zoning By-law Amendment and Site Plan Control applications were submitted to permit a 14-storey mixed-use building containing ground floor retail, office uses and a childcare centre on the second floor, and 164 residential dwelling units on floors 3-14 on the lands known as 2010 to 2050 Yonge Street.

On February 15, 2022, the applicant appealed the Zoning By-law Amendment application and Site Plan Control applications to the Ontario Land Tribunal (the "OLT") due to Council not making a decision within the time frame in the *Planning Act*.

On April 20, 2023 the City received a revised proposal in accordance with timelines imposed by the Ontario Land Tribunal. The package included a covering letter from Goldberg Group, which is attached as Public Attachment 1, and a set of architectural drawings attached as Public Attachment 2, and supporting material (collectively the "Revised Proposal"). The resubmission will be presented at the OLT hearing of the appeal.

The City Solicitor requires further directions for an upcoming OLT hearing scheduled to begin August 28th and several procedural deadlines in June and July. This matter is urgent and cannot be deferred.

RECOMMENDATIONS

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 the Confidential Attachment 1 to this report from the City Solicitor, if 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 at the discretion of the City Solicitor, as it contains advice which is subject to solicitor-client privilege.

FINANCIAL IMPACT

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

At its meeting of February 7, 2023 City Council considered an Appeal Report from Community Planning which recommended authorization for the City Solicitor and appropriate City staff to attend the OLT hearing to oppose the Zoning By-law Amendment application, and to continue discussions with the applicant in an attempt to resolve outstanding issues. City Council adopted those recommendations, and that decision can be found at:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.TE2.9>

COMMUNITY CONSULTATION

A Virtual Community Meeting was hosted by City Planning staff on May 17, 2023 in which the Revised Proposal was presented and discussed. Approximately 18 people participated. Following a presentation by City staff and the Applicant, Planning advises that the following comments and issues were raised:

- Traffic and congestion impacts during and after construction;
- Next steps and timeline for demolition and construction;
- Concerns related to the impact of increased delivery vehicles, taxi drivers and ride sharing vehicles;

- Concerns related to the ground-floor retail units and their ability to support and maintain small businesses; and
- Concerns related to the placement of the proposed building along the western property line, directly abutting 20 Glebe Road West.

COMMENTS

Revisions to the Proposal

The Revised Proposal includes a number of revisions, including:

- Yonge Street façade is now parallel with Yonge Street;
- Revised articulation of the Yonge Street facade increasing insets widths from 8.85 to 11.0 metres;
- On Levels 4-6, removed units along the southwest corner of the building setbacks to adjacent property;
- Vehicular access to the site has been consolidated to one single driveway access from Lola Road;
- A 0.4-metre road widening has been provided along Yonge Street to satisfy the 27.0 metre right-of-way requirement for Yonge Street, as required by Transportation Services;
- As a result of the road widening along Yonge, the east setback from Yonge Street along the ground floor has been decreased from 1.5 to 1.0 metre;
- The building setback along Glebe Road West has been realigned to satisfy the Midtown Public Realm Implementation Strategy for Yonge Street Squares; and
- Underground parking has been increased from 3 to 4 floors.

The key numerical differences between the initial submission and the Revised Plans are summarized generally below:

Category	Original Submission: November 8, 2021	Revised Proposal: April 20, 2023
Total Residential Gross Floor Area	15,683 square metres	15,248 square metres
Total Office Gross Floor Area	1,098 square metres	1,273 square metres

Category	Original Submission: November 8, 2021	Revised Proposal: April 20, 2023
Total Commercial Gross Floor Area	1,292 square metres	1,327 square metres
Total Daycare Gross Floor Area	473 square metres	560 square metres
Total Gross Floor Area	18,546 square metres	18,408 square metres
Floor Space Index (FSI)	7.83	7.77
Dwelling Units		
Studio	15 (9 percent)	22 (14 percent)
One-bedroom	31 (19 percent)	33 (20 percent)
Two-bedroom	78 (48 percent)	81 (50 percent)
Three-bedroom	40 (24 percent)	25 (16 percent)
Total	164 (100 percent)	161 (100 percent)
Amenity Space		
Indoor Amenity Space	328 square metres	676 square metres
Outdoor Amenity Space	328 square metres	357 square metres
Vehicle Parking		
Residential Vehicle Parking Spaces	96 spaces	153 spaces
Visitor Vehicle Parking Spaces	26 spaces	26 spaces
Total Vehicle Parking Spaces	122 spaces	179 spaces
Bicycle Parking		
Residential Bicycle Parking Spaces	148 spaces	145 spaces
Visitor Bicycle Parking Spaces	17 spaces	17 spaces

Category	Original Submission: November 8, 2021	Revised Proposal: April 20, 2023
Total Bicycle Parking Spaces	165 spaces	162 spaces

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

Wendy Walberg
City Solicitor

ATTACHMENTS

1. Public Attachment 1 - Letter from Goldberg Group dated April 20, 2023 describing Revised Proposal
2. Public Attachment 2 - Architectural plans prepared by Graziani & Corazza Architects dated April 20, 2023
3. Confidential Attachment 1 - Confidential Information