

2157 Lake Shore Boulevard West - Official Plan Amendment and Zoning By-law Amendment Application - Request for Direction Report

Date: November 29, 2023

To: City Council

From: City Solicitor

Wards: Ward 3 - Etobicoke-Lakeshore

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 February 8, 2020, Official Plan and Zoning By-law Amendment applications were submitted to permit the development of a 13-storey hotel building with 165 suites and a ground floor restaurant. The proposed hotel would be 44.6 metres in height (excluding mechanical penthouse) and include 44 vehicle parking spaces. The total proposed gross floor area would be approximately 7,810.5 square metres with a density of 9.91 times the area of the lot at 2157 Lake Shore Boulevard West.

On January 7, 2022 a resubmission was provided for a 13-storey hotel building with 154 suites and a ground floor restaurant. The proposed hotel would be 41.9 metres in height (excluding mechanical penthouse) and include 36 vehicle parking spaces. The total proposed gross floor area would be approximately 7,632.0 square metres with a density of 9.62 times the area of the lot.

On August 19, 2022 the applicant appealed the Official Plan and Zoning By-law Amendment applications to the Ontario Land Tribunal (OLT) due to Council not making a decision within the prescribed time frames set out in the *Planning Act*.

The City Solicitor requires further direction for the upcoming OLT hearing scheduled to commence January 15, 2024. Given this timing, this item is urgent and cannot be deferred.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the recommendations contained in 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 and Confidential Appendix "A" 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

On February 8, 2020, Official Plan and Zoning By-law Amendment applications were submitted to permit the development of a 13-storey hotel building with 165 suites and a ground floor restaurant. The Appeal Report can be found at:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.EY2.7>

On August 19, 2022 the applicant appealed the Official Plan and Zoning By-law Amendment applications to the Ontario Land Tribunal (OLT) due to Council not making a decision within the prescribed time frames set out in the *Planning Act*. The first Case Management Conference (CMC) was conducted on November 10, 2022.

COMMENTS

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. Confidential Attachment 1 - Confidential Information
2. Confidential Appendix "A" - Confidential Information