

**699 – 711 Lawrence Avenue West – Zoning By-law
Amendment Application – Ontario Land Tribunal
Hearing – Request for Directions**

Date: November 30, 2023
To: City Council
From: City Solicitor
Wards: Ward 8 - Eglinton-Lawrence

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 2, 2022, the City received a Zoning By-law Amendment application for 699 – 711 Lawrence Avenue West (the "Site") to permit the construction of a 40-storey residential building containing 360 dwelling units and 162.8 square metres of retail spaces at the ground level.

The applicant appealed City Council's neglect or failure to make a decision on its application for the Zoning By-law Amendment (the "Appeal"), to the Ontario Land Tribunal (the "OLT") on July 7, 2022.

The City Solicitor requires further directions in advance of an upcoming OLT hearing scheduled for May 27, 2024. For reasons set out in Confidential Attachment 1 consideration of this item 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 and Confidential Appendix "A".
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

A Request for Direction Report (January 30, 2023) from the Director, Community Planning, North York District was adopted by the North York Community Council on February 22, 2023 recommending the City Solicitor and appropriate staff attend the OLT hearing to oppose the Zoning By-law Amendment Application and to continue discussions with the applicant to resolve outstanding issues. The application was appealed prior to a Community Consultation Meeting. The report was brought forward in response to a Case Management Conference that occurred on February 9, 2023. The Report can be found at:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.NY3.1>

The Request for Direction Report on the application (January 30, 2023) from the Director, Community Planning, North York District was adopted unamended by City Council on March 29, 2023.

COMMENTS

The City Solicitor requires further instructions on this matter no later than the completion of the City Council meeting which starts on December 13, 2023. 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