

City Council

Notice of Motion

MM10.1	ACTION			Ward: 11
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Re-opening and Amending Item 2023.CC8.23 - 906 Yonge Street and 25 McMurrich Street - Zoning By-law Amendment - Appeal Report - by Councillor Dianne Saxe, seconded by Councillor Chris Moise

** Notice of this Motion has been given.*

** This Motion is subject to a re-opening of Item 2023.CC8.23. A two-thirds vote is required to re-open that Item. If re-opened, the previous Council decision remains in force unless Council decides otherwise.*

Confidential Attachment - Advice that is subject to solicitor-client privilege

Recommendations

Councillor Dianne Saxe, seconded by Councillor Chris Moise, recommends that:

1. City Council amend its previous decision on Item 2023.CC8.23 by adding the following parts:
 1. City Council adopt the recommendations contained in the Confidential Attachment 1 to the report (May 26, 2023) from the City Solicitor.
 2. City Council authorize the public release of the confidential recommendations contained in Confidential Attachment 1 to the report (May 26, 2023) from the City Solicitor, if adopted by City Council.
 3. City Council direct that all other information contained in Confidential Attachment 1 to the report (May 26, 2023) 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.

Summary

At its meeting on July 19 and 20, 2023, City Council adopted Item CC8.23 and accepted a with-prejudice offer to settle an Ontario Land Tribunal appeal concerning 906 Yonge Street and 25 McMurrich Street in Ward 11. By inadvertence, certain confidential recommendations with respect to an application to alter on-site heritage resources were omitted from the approval. This is the first opportunity to reopen the approval to consider them. The matter will be returning to the Ontario Land Tribunal on September 26, 2023 and further instruction is needed.

REQUIRES RE-OPENING:

Item 2023.CC8.23 (July 19 and 20, 2023 City Council meeting) only as it pertains to the confidential instructions to staff made public on July 7, 2023.

Background Information (City Council)

Member Motion MM10.

(June 12, 2023) Transmittal from the Toronto Preservation Board on 906 Yonge Street and 25 McMurrich Street - Alterations to Designated Heritage Property under Part IV, Section 29 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement
(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-238892.pdf>)

(May 26, 2023) Report from the City Solicitor on Alterations to Designated Heritage Property at 906 Yonge Street and 25 McMurrich Street under Part IV, Section 29 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement
(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-238880.pdf>)

Public Attachment 1 - Covering letter from Aird & Berlis LLP dated May 18, 2023 which describes the revised proposal, and accompanied the heritage permit application and updated heritage impact assessment

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-238857.pdf>)

Public Attachment 2 - Location Map

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-238858.pdf>)

Public Attachment 3 - Photographs

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-238859.pdf>)

Public Attachment 4 - Statement of Significance

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-238860.pdf>)

Public Attachment 5 - Plans and Drawings

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-238861.pdf>)

Public Attachment 6 - Renderings

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-238862.pdf>)

Confidential Attachment 1