



## REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

### 46, 46R, 48, 50, 52 and 52R Laing Street – Ontario Land Tribunal Hearing – Request for Directions

**Date:** January 24, 2024

**To:** City Council

**From:** City Solicitor

**Wards:** Ward 14 - Toronto-Danforth

#### 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 December 23, 2022 the City received Official Plan, Zoning By-law Amendment and Site Plan Control applications for 46R, 46-52 and 52R Laing Street to permit the construction of two apartment buildings at four and seven storeys.

The applicant appealed City Council's neglect or failure to make a decision on its application for the Official Plan and Zoning By-law Amendments (the "Appeal"), to the Ontario Land Tribunal (the "OLT") on May 8, 2023. On June 30, 2023, the Applicant submitted a revised proposal, having acquired the properties known municipally as 46-48 Laing Street. The revised proposal is for two seven-storey apartment buildings.

The City Solicitor requires further directions for an upcoming OLT hearing scheduled for June 12 to 25, 2024. Consideration of this item is urgent and cannot be deferred.

#### 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 the Confidential Attachment 1 and Confidential Appendix "A" and "B" 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**

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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 December 23, 2022, the City received Official Plan, Zoning By-law Amendment and Site Plan applications to permit two apartment buildings at four and seven storeys.

On May 8, 2023, the applicant appealed City Council's neglect or failure to make a decision on the Official Plan and Zoning By-law Amendments to the OLT. On June, 2023, the Applicant submitted a revised proposal to permit two seven-storey apartment buildings. The OLT held the first Case Management Conference on September 6, 2023. A second Case Management Conference was held on November 6, 2023. A hearing is scheduled for June 12 to 25, 2024.

A Request for Direction Report on the application was adopted by City Council on October 11, 2023 directing the City Solicitor and appropriate City staff to attend the OLT hearing to oppose the Official Plan and Zoning By-law Amendment applications, and to continue discussions with the applicant in an attempt to resolve outstanding issues.

The Request for Direction Report can be found at:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.TE7.19>

## **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 Appendix "A" - Confidential Information
3. Confidential Appendix "B" - Confidential Information