



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

561 Jarvis Street and 102-120 Earl Place – Official Plan Amendment and Zoning By-law Amendment Application – Request for Direction Report

Date: January 23, 2024
To: City Council
From: City Solicitor
Wards: Ward 13- Toronto Centre

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 August 4, 2022, Official Plan and Zoning By-law Amendment applications were submitted for a 58-storey mixed-use building, containing 690 dwelling units and 154.34 square metres of non-residential gross floor area.

On March 31, 2023, 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 time frame in the *Planning Act*.

The City Solicitor requires further direction for the upcoming OLT hearing scheduled to commence March 11, 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 August 4, 2022, Official Plan and Zoning By-law Amendment applications were submitted for a 58-storey mixed-use building, containing 690 dwelling units and 154.34 square metres of non-residential gross floor area.

On March 22, 2023 revised Official Plan and Zoning By-law Amendment applications were submitted seeking to permit a 58-storey mixed-use building containing 680 dwelling units and 327 square metres of non-residential gross floor area. The Appeal Report can be found at:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.TE7.14>

On August 4, 2022, a related Site Plan Control Application was submitted.

On March 31, 2023, 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 time frame in the *Planning Act*.

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