



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

2402-2418 Dufferin Street and 4-10 Ramsden Road – Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications– Request for Directions

Date: March 6, 2024

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 November 10, 2021, Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision applications were submitted to permit a 24-storey (76 metres high) mixed-use building and a 9-storey residential building (30 metres high) at 2402-2418 Dufferin Street and 4-10 Ramsden Road. Also proposed were a northerly extension to the existing municipal laneway within the site, and an on-site parkland dedication at the southwest corner of the site.

On August 2, 2022, the Applicant appealed the Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications to the Ontario Land Tribunal ("OLT") due to Council not making a decision within the prescribed time frames in the *Planning Act*.

Case Management Conferences before the OLT took place on November 15, 2022 and April 3, 2023. Duffli Limited and Li III Ltd, an adjacent landowner, was made a party to the proceedings and a 10 day hearing has been scheduled to commence on April 15, 2024.

The City Solicitor urgently requires further directions for the upcoming OLT hearing. This item 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 in Confidential Attachment 1 and Confidential Appendix "A" to this Report from the City Solicitor if the confidential recommendations in Confidential Attachment 1 are 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

A Preliminary Report was adopted by North York Community Council on April 20, 2022 authorizing staff to conduct a community consultation meeting. The decision of the North York Community Council can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.NY31.13>

An Appeal Report on the applications was adopted by City Council on February 7, 2023, directing the City Solicitor and appropriate City staff to attend the OLT in opposition to the application, and to continue discussions with the applicant in an attempt to resolve outstanding issues. The Appeal Report can be found at:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.TE5.10>

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