



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

1779-1787 Bayview Avenue – Official Plan & Zoning By-law Amendment and Site Plan Control Applications –Request for Direction

Date: March 8, 2024
To: City Council
From: City Solicitor
Wards: Ward 15 - Don Valley West

REASON FOR CONFIDENTIAL INFORMATION

This report contains advice or communications that are subject to solicitor-client privilege. This report contains information regarding litigation or potential litigation.

SUMMARY

This report and the report that went to the Toronto Preservation Board on March 18, 2024 are intended to be considered together by City Council at its meeting on March 20 to 22, 2024.

The owner appealed its Zoning By-law Amendment and Official Plan Amendment Applications to the Ontario Land Tribunal ("OLT") on April 20, 2023. The applicant has also appealed the Site Plan application to the OLT due to a lack of decision within the time frame prescribed in the *Planning Act*.

During its meeting of October 11 and 12, 2023, City Council directed the City Solicitor and appropriate City staff to attend the OLT in opposition to the current applications regarding the Official Plan, and Zoning By-law Amendment and Site Plan Control appeals for the lands at 1779-1787 Bayview Avenue and to continue discussions with the applicant to resolve outstanding issues.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the confidential 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 the Confidential Attachment 1 and Confidential Appendix "A", "B" and "C" 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

At its meeting on October 11 and 12, 2023, City Council considered an Appeal Report on the Official Plan, Zoning By-law Amendment and Site Plan Control Applications. [Agenda Item History - 2023.NY7.5 \(toronto.ca\)](#)

COMMENTS

The site contains three separate properties: 1787 Bayview Avenue, 1783-1785 Bayview Avenue, and 1779-1781 Bayview Avenue. The 1787 Bayview Avenue property contains the Leaside station of the Eglinton Crosstown LRT line, 1783-1785 Bayview Avenue contains a fourplex dwelling that was designated under the *Ontario Heritage Act* on January 31, 2019, and 1779-1781 Bayview Avenue contains a six-plex dwelling.

An OLT hearing is scheduled from November 25, 2024 to December 13, 2024 on this matter. The first Case Management Conference was heard before the OLT on October 26, 2023. A further Case Management Conference that had been scheduled for March 18, 2024 was recently adjourned and is expected to be rescheduled for April 2024.

The City Solicitor requires further instructions on this matter. This report contains advice or communications that are subject to solicitor-client privilege. Confidential Attachment 1 to this report contains confidential advice and it should be considered by Council *in camera*.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

1. Confidential Attachment 1 - Confidential Information
2. Confidential Appendix "A" - Confidential Information
3. Confidential Appendix "B" - Confidential Information
4. Confidential Appendix "C" - Confidential Information