

**589-595 Eglinton Avenue East and 61-67 Mann Avenue
- Official Plan Amendment and Zoning By-law
Amendment Application - Request for Direction
Report**

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 potential litigation.

SUMMARY

This application proposes a 35-storey mixed-use building with 26,074 square metres of residential gross floor area for a total of 442 units, and 621 square metres of ground floor retail fronting onto Eglinton Avenue. The development will have a total gross floor area of 26,695 square metres with a FSI of 13.47. A second submission was made by the applicant on July 17, 2023.

On April 14, 2023, the applicant appealed the Official Plan and Zoning By-law Amendment application to the Ontario Land Tribunal ("OLT") due to Council not making a decision within the time frame prescribed in the *Planning Act*.

The City Solicitor requires further direction for the upcoming OLT hearing which was scheduled to commence February 28, 2024, however, this matter was adjourned to March 12, 2024, at which time a date will be set for a hearing. 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" and Confidential Appendix "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

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

This application proposes a 35-storey (124.75 metres to top of mechanical penthouse) mixed-use building with 26,074 square metres of residential gross floor area for a total of 442 units, and 621 square metres of ground floor retail fronting onto Eglinton Avenue. The development will have a total gross floor area of 26,695 square metres with a FSI of 13.47. A second submission was made by the applicant on July 17, 2023. The Appeal report can be found at:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.NY8.8>

On April 14, 2023, the applicant appealed the Official Plan and Zoning By-law Amendment application to the Ontario Land Tribunal ("OLT") due to Council not making a decision within the time frame prescribed 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
3. Confidential Appendix "B" - Confidential Information