



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

15-19 Bloor Street West – Official Plan and Zoning By-law Amendment Application – Ontario Land Tribunal Hearing – Request for Directions

Date: March 6, 2024

To: City Council

From: City Solicitor

Wards: Ward 11 - University - Rosedale

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 March 7, 2023, the City received Official Plan and Zoning By-law Amendment applications for 15-19 Bloor Street West (the "Site") to permit the construction of a 94-storey mixed-use tower containing 1,262 dwelling units and 272 square metres of retail space.

City Council refused the applications on June 14, 2023. The applicant appealed City Council's refusal to the Ontario Land Tribunal (the "OLT") on June 21, 2023.

A Case Management Conference ("CMC") took place in September 2023 and Mizrahi Development Group (The One) Inc. ("Mizrahi") and Toronto Standard Condominium Corporation 2208 ("TSCC 2208"), were granted party status. The ABC Residents Association was granted party status on consent of all the parties on January 25, 2024. A 10-day hearing has been scheduled to commence on June 10, 2024.

Given upcoming procedural filing dates set out in the Procedural Order, and other deadlines addressed in Confidential Attachment 1, this matter is urgent and 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 Refusal Report on the applications was adopted by City Council on June 14, 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 if appealed. The Request for Direction 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

Jessica Braun, Solicitor, Planning percent Administrative Tribunal Law; Tel: (416) 392-7237; Fax: (416) 397-5624; Email: jessica.braun@toronto.ca

SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

1. Confidential Attachment 1 - Confidential Information
2. Confidential Appendix "A" - Confidential Information