



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

22-32 Scollard Street and 21-25 Davenport Road – Ontario Land Tribunal Hearing – Request for Directions

Date: July 10, 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 December 31, 2021, the City received a Zoning By-law Amendment application for 22-32 Scollard Street and 21-25 Davenport Road (the "Site") to permit the construction of a 61-storey mixed use building containing 79 dwelling units.

The applicant appealed City Council's refusal of its application for the Zoning By-law Amendment (the "Appeal"), to the Ontario Land Tribunal (the "OLT") on March 10, 2023.

The City Solicitor requires further directions. For reasons set out in Confidential Attachment 1 this matter is urgent and should not 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 "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

On December 31, 2021, the City received a Zoning By-law Amendment application to permit the construction of a 61-storey mixed use building containing 79 dwelling units.

On March 10, 2023, the applicant appealed City Council's refusal of its Zoning By-law Amendment application to the OLT. The OLT held the first Case Management Conference on September 28, 2023. A hearing has not yet been scheduled.

A Decision Report was adopted by City Council on February 7, 2023 directing the City Solicitor and appropriate City staff to attend the OLT hearing to oppose the Zoning By-law Amendment application. The Decision Report can be found at:
<https://secure.toronto.ca/council/agenda-item.do?item=2023.TE2.2>

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