



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

1728 Bloor Street West – Ontario Land Tribunal Hearing – Request for Directions

Date: July 9, 2024

To: City Council

From: City Solicitor

Wards: Ward 4 – Parkdale-High Park

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 9, 2023, the City received a Zoning By-law Amendment application for 1728 Bloor Street West (the "Site") to permit the construction of a 19-storey mixed use building with retail space on the ground floor and 99 residential units above.

The applicant appealed City Council's neglect or failure to make a decision on its application for the Zoning By-law Amendment (the "Appeal"), to the Ontario Land Tribunal (the "OLT") on October 4, 2023.

The City Solicitor requires further directions for the upcoming OLT hearing scheduled for August 12, 2024. This matter 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 the Confidential Attachment 1 and Confidential Appendices "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 March 9, 2023, the City received a Zoning By-law Amendment application for 1728 Bloor Street West to permit the construction of a 19-storey mixed use building with retail space on the ground floor and 99 residential units above.

On October 4, 2023, the applicant appealed City Council's neglect or failure to make a decision on the Zoning By-law Amendment to the OLT. The OLT held the first Case Management Conference on February 15, 2024. A hearing is scheduled for August 12, 2024.

A Request for Direction Report on the application was adopted by City Council on February 6 and 7, 2024 directing the City Solicitor and appropriate City staff to attend the OLT hearing to oppose the Zoning By-law Amendment application, and to continue discussions with the applicant in an attempt to resolve outstanding issues. The Request for Direction Report can be found at:

<https://secure.toronto.ca/council/agenda-item.do?item=2024.TE10.12>

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